

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 28 JANUARY 2016

COUNCIL CHAMBER, BRIGHTON TOWN HALL

MINUTES

Present: Councillors Hyde (Chair), West (Deputy Chair), Allen, Atkinson, Barford, Barnett, Barradell, Bell, Bennett, Bewick, Brown, Cattell, Chapman, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Inkpin-Leissner, Knight, Lewry, Littman, Mac Cafferty, Marsh, Meadows, Mears, Miller, Moonan, Morgan, Morris, Nemeth, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Penn, Phillips, Robins, Simson, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls and Yates

PART ONE

69 DECLARATIONS OF INTEREST

- 69.1. Councillor Robins declared a personal but non pecuniary interest in Item 79, School Admissions Arrangements 2017/18 as he was a Governor of Brackenbury School and been granted dispensation to speak and vote on the matter.
- 69.2. Councillor Hamilton declared a personal but non pecuniary interest in Item 79, School Admissions Arrangements 2017/18 as he was a Governor of Brackenbury School and been granted dispensation to speak and vote on the matter.
- 69.3. Councillor Sykes declared a non-pecuniary interest in Item 82(c), Notice of Motion, Being Prepared for Flooding, as he worked for the Environment Agency.
- 69.4. No other declarations of interests in matters appearing on the agenda were made.

70 MINUTES

- 70.1. The minutes of the last ordinary meeting held on the 17th December 2015 were approved and signed by the Mayor as a correct record of the proceedings; subject to the following amendments being made:
- (i) Paragraph 68.8 to read that “the vote was **carried** by 38 votes to 10 with 1 abstention as detailed:”
 - (ii) Paragraph 56.14 the word ‘out’ in the last sentence to be replaced by ‘put’.

- (iii) Paragraph 56.22 the word 'advise' in the 4th line to be replaced by 'advice'.
- (iv) Paragraph 69.36 the voting figures shown in the table should read, For 22, Against 27 and Abstain 2.
- (v) Paragraph 68.6 final sentence to read, "There were other local airports that were underused and the issue was about Gatwick promoting its business interests which the city did not need."

71 MAYOR'S COMMUNICATIONS.

- 71.1. The Mayor informed the Council that she had been made aware that Councillor Mitchell was unwell and unable to attend the meeting and therefore Councillor Barradell would be responding to matters in her stead. She was also aware that Councillor Cobb was absent due to a family bereavement and stated that the council's thoughts were with her.
- 71.2. The Mayor noted that in March 2015, the Council had agreed to support 'Time to Time' with an organisational pledge. This was in support of a Notice of Motion that 'This Council believes that mental health should be given equal priority with physical health as outlined in the government's mental health strategy.'
- The Council's action plan to reduce stigma and provide support for people experiencing mental health problems had now been approved by Time to Change. The Time to Change Employer Pledge was an aspirational statement with meaning, indicating to employees and the public that an organisation wanted to take action to tackle the stigma and discrimination around mental health, focusing on the workplace in particular.
- 71.3. The Mayor then invited Councillor Penn to come forward to sign the Council's organisational pledge to Time to Change, as mental health lead for the Council's elected members.
- 71.4. Finally, the Mayor stated that she wished to offer the Council's congratulations to the Member Development Working Group and the Democratic Services Team who had worked to secure the Council's award for the South East Charter for Member Development. The award from South East Employers and the Local Government Association following an external peer assessment was given in recognition of the Council's commitment to and support for Member Development. She then invited Councillor Mo Marsh as Chair of the Member Development Working Group, and Mark Wall as Head of Democratic Services to come forward to accept the award on behalf of the Council.

72 TO RECEIVE PETITIONS AND E-PETITIONS.

- 72.1. The Mayor noted that no petitions were due to be presented at the meeting.

73 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

- 73.1. The Mayor reported that five written questions had been received from members of the public and invited Ms. Fergusson to come forward and address the council.

- 73.2. Ms. Fergusson thanked the Mayor and asked the following question; “Can the Chair of the Environment Committee give an assurance to those residents living adjacent to Hove Railway Cutting that the council will intervene as a matter of urgency and request Network Rail not to commence any removal of vegetation along the Hove cutting until residents have been provided with all the relevant facts regarding this work? Can she also support residents in seeking to negotiate a less drastic measure that will still meet the safety objectives of the railways while at the same time protect homes from facing the risk of poison or even the collapse of the rock-face?”
- 73.3. Councillor Barradell replied; “Council officers have been and are in contact with network rail and have been explaining and passing on the concerns that residents have come to them with. I believe network rail had a public drop-in session earlier this week that residents should have been able to attend and I’m really hoping that you were able to discuss your concerns properly with Network Rail and that they heard what you were saying and that you received some factual information and that possibly you were able to propose alternative solutions to them and that these were heard.”
- 73.4. Ms. Fergusson asked the following supplementary question; “Could we be assured of the support of this council during the period between them making promises and them starting? We need some proper commitment because the effects which are very clearly identified so when they say they are going to do their best we need to know that this is really going to happen because we have experience from the past where trust has been broken and not only here.”
- 73.5. Councillor Barradell replied; “I am absolutely sure that officers and your ward councillors will make sure that if you come to us again they will help you hold Network rail to account.”
- 73.6. The Mayor thanked Ms. Fergusson for attending the meeting and for her questions and invited Ms. Paynter to come forward and address the council.
- 73.7. Ms. Paynter thanked the Mayor and asked the following question, “Last year a Kemptown GP surgery closed and the Care Quality Commission also closed a Hove surgery. Now we are hearing that five more GP surgeries are to lose funding which may force all or some of them to also close. There is a known shortage of GP's, people training to become GP's, and the city has a shortage of secondary school places for the existing primary school bulge to move to as well.

Is it time to ask the Planning Inspectors - on Infrastructure grounds - for a downward revision of their identified sites demand for the City Plan?”

- 73.8. Councillor Morgan replied; “I share your concerns about GP provision in the city having as you say lost one in my ward last year and one of those threatened in the current announcement is also in my ward. Having enough doctors is essential for the health of the city as it is now and as you say as it expands delivering infrastructure is an important part of good planning for the city. To ensure there is sufficient infrastructure delivered in the right places to meet the needs of existing and future residents we publish an infrastructure delivery plan alongside the city plan this document is updated

regularly to address changing circumstances my colleague Councillor Yates is ensuring the Health & Wellbeing Board is focusing on GP provision as a priority.”

73.9. Ms. Paynter asked the following supplementary question, “I don’t think that just updating the infrastructure strategy which is a long-term document is going to deal with the next five years. Is there any sense of urgency in the council about quite what is going to happen over the next few years as the infrastructure melts away because it is melting away?”

73.10. Councillor Morgan replied; “Obviously infrastructure, the provision for new developments has to be put in place as I said before and it’s something that’s dealt with a top priority across the whole council.”

73.11. The Mayor thanked Ms. Paynter for attending the meeting and for her questions and invited Mr. Flanagan to come forward and address the council.

73.12. Mr. Flanagan thanked the Mayor and asked the following question; “In the interests of openness and fairness, will the Full Council rule that Viability Reports in support of planning applications will only be taken into account where they are made available for public inspection, which is now the intended practice adopted by Greenwich Council? (References provided by Greenwich Council press article & The Guardian press article supplied with this question).”

73.13. Councillor Cattell replied; “What is and isn’t available for public viewing is actually governed by environmental information regulations viability reports submitted with planning applications are made public where they don’t include sensitive commercial information. When information is included that is protected by the regulations then we must comply with them and we are aware that some councils are preparing their own criteria for making various reports completely public.”

73.14. Mr. Flanagan asked the following supplementary question; “Will the council endorse the release of the District Valuer’s report with confidential data redacted if necessary on the recent London homes/ St. Aubyns school application to councillors and residents who request it?”

73.15. Councillor Cattell stated that she would need to consult with officers and would provide a written reply.

Note: *The written reply from Councillor Cattell is detailed below for information:*

“I cannot comment on the specifics of a planning application however I can confirm factually that the report from the District Valuer is currently being assessed in relation to the current Planning Application. In common with normal practice those parts of the report which are not commercially sensitive will be placed on the Planning Register for inspection as a public document and will be available for public comment. The timing of this will be managed as normal by the case officer Liz Arnold. Please do contact her. I understand she is on annual leave at the moment returning 07 March 2016. I am aware of the level of public interest in this application and suggest that you speak directly to the case officer about how the release of information is being managed and the timing.”

- 73.16. The Mayor thanked Mr. Flanagan for attending the meeting and for his questions and invited Miss. Moss to come forward and address the council.
- 73.17. Miss. Moss thanked the Mayor and asked the following question; “Will the Full Council recognise that air pollution levels in Rottingdean High Street are higher than at Heathrow Airport as evidenced and will the Full Council rule that unacceptably high and unlawful air pollution levels in Rottingdean’s historic High Street should be a material consideration when deciding planning applications that are likely to generate additional traffic movements through the village?”
- 73.18. Councillor Morgan replied; “Yes, there are air quality issues in Rottingdean High Street a narrow road not built for today’s number of cars and lorries. It is right that it is in an air quality management area but the situation there can’t realistically be compared with Heathrow airport where the pollution isn’t linked to the built environment. Air quality is a material planning consideration and there are policies in the development plan which applications are considered against when they are assessed as indeed they were to an application considered by the planning committee yesterday.”
- 73.19. Miss. Moss asked the following supplementary question; “We’d like to request then that the legal department give guidance to the planning department as to what is an acceptable level of adverse impact on an existing air quality monitoring area taking into account UK and EU legislation.”
- 73.20. Councillor Morgan stated that he would raise the matter with the legal team and respond in writing.
- 73.21. The Mayor thanked Miss. Moss for attending the meeting and for her questions and invited Mr. Smith to come forward and address the council.
- 73.22. Mr. Smith thanked the Mayor and asked the following question; “Where a planning application is “Minded to Approve” but where the Council’s Educational Officer states that schools within the area are full, will the Full Council rule that planning applications are held up until the required school places have been properly found and identified and will the Full Council please acknowledge that sums of money acting as mitigation do not directly address this issue until such school places are properly found and identified. (Comment in this regard made by the Council’s Educational Officer as supplied as a reference with this question).”
- 73.23. Councillor Morgan replied; “Individual school pressures change quite quickly and depend on many things not just the timing of development coming forward. Planning permission is given for a five year period and if built the actual school circumstances may be different once the development is completed. The contributions negotiated include a range of schools that might benefit to respond to the fact that the circumstances change. My colleagues Councillor Bewick and Councillor Chapman are working on the planning and provision of school places in the future including the catchment review and the possibility of a new school.”
- 73.24. Mr. Smith asked the following supplementary question; “There was a planning application heard yesterday that was minded to approve despite the education officer clearly stating that there were no primary school places available within 6 ½ kilometers

of Saltdean who's only school covers east and west Saltdean and therefore both the BHCC and LDC areas. Given that so much pressure is being exerting on council officers and the Planning committee to approve planning applications does the full council agree that both officers and councillors have a duty and legal obligation to rigidly adhere to planning law and planning guidance regardless of all external pressure to do otherwise?"

73.25. Councillor Morgan replied; "I can't comment on a planning decision yesterday, I wasn't party to that and obviously the planning committee has a separate function but it is my understanding that we have expanded Saltdean Primary School."

73.26. The Mayor thanked Mr. Smith for attending the meeting and for his questions and noted that this concluded the public questions for the meeting.

74 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

74.1. The Mayor reported that no deputations had been received for the current meeting.

75 PETITIONS FOR COUNCIL DEBATE

75.1. The Mayor stated that the council's petition scheme provided that where a petition secured 1,250 or more signatures it could be debated at a Council meeting. She had been notified of two such petitions which had sufficient signature to warrant a debate and therefore would call on the lead petitioner to present their petition before opening the matter up for debate.

75.2. The Mayor invited Mr. Castell to come forward and present the petition.

75.3. Mr. Castell thanked the Mayor and presented the petition which called on the Council to not cut Animal Welfare Team. He confirmed that the petition had over 4,000 signatures and stated that the local community would be willing to support the team in its work and find alternative ways of enabling it to continue e.g. advertising on dog bins could provide some revenue. The Animal Welfare Team was an important asset to the community and he hoped could be maintained rather than reduced. The petitioners believed that additional help could be found from volunteers and suggested that Animal Community Support Officers could be established, but urged the Council to reconsider the proposed cuts to the team which would only result in a number of important aspects of its work being lost. He also noted that Brighton Dogwatch had been formed two and half years ago and was run by dedicated volunteers on a 24/7 basis and had found the support of the Animal Welfare team to be invaluable.

75.4. Councillor Barradell thanked Mr. Castell and welcomed the positive ideas that had been suggested as ways of working with the Animal Welfare Team and supporting its work. She noted that the Council was looking for innovative ideas as part of a council-wide scheme to identify ways of addressing the financial challenges faced by the council and hoped they would be put forward as part of that process. She stated that it was not possible at this stage to rule out any savings that had been identified although alternative options could be considered, as long as the overall savings requirements were met.

- 75.5. Councillor West welcomed the petition and stated that he believed there was a significant number of signatures which meant that it needed to be taken into consideration. The Animal Welfare Team provided a wide-ranging service which was appreciated by residents and the petition rightly questioned how the service could be maintained given the level of proposed savings to be made. He believed it would result in a significant reduction in the level of patrols and investigations which would be detrimental to council. As such he wished to move an amendment to the recommendations that would ask the Policy & Resources Committee to identify alternative savings and to maintain the current level of provision for the Animal Welfare Team.
- 75.6. The Mayor stated that any such amendment should have been made available in writing and been circulated to Members so that they had time to give it consideration. As such she was not prepared to accept the amendment which did not appear to have an alternative proposal to achieve the required savings. She then asked the Monitoring Officer to clarify the position.
- 75.7. The Monitoring Officer referred to the Council's Procedural Rules and noted that an amendment could be tabled at a meeting and the Mayor or Chair could then request it to be provided in writing to all Members. In regard to the proposed amendment it appeared to be seeking to change proposals that directly affected the budget which made it a more complex matter. However, the Mayor had the final decision on whether to accept the moving of an amendment and that decision could not be challenged at the meeting.
- 75.8. The Mayor noted the information and called on Councillor Barradell to respond to the petition.
- 75.9. Councillor Barradell stated that she sympathised with the views of the petition and welcomed the proposals that had been put forward, however she could not confirm the outcome of the proposed savings as this point in time.
- 75.10. The Mayor stated that she was not prepared to accept the amendment put forward by Councillor West and therefore put the recommendation to refer the petition to the Policy & Resources Committee for consideration to the vote, which was agreed.
- 75.11. **RESOLVED:** That the petition be referred to the Policy & Resources Committee for consideration at its next meeting.
- 75.12. The Mayor invited Ree to come forward and present the petition on behalf of Love Activists.
- 75.13. Ree thanked the Mayor and presented the petition which called on the Council to expand the Housing First model to offer housing to all of the city's homeless people and work with the community to address the issue of homelessness. She hoped that the council would take on board the proposals outlined in the petition and seek to encourage other Authorities to implement the measures nationally. She stated that the aim had to be to avoid any more deaths on the streets in the city and referred to a recent Supreme Court ruling which stated that all homeless people should be seen and given priority need. This was something that was not being actioned as available

resources were being used as a factor rather than need. She also noted that a doctor at the Housing summit last year had detailed how many homeless people were being treated and called it the human face of an inhuman statistic. She stated that people could not wait until 2020 as was the council's current objective to meet the needs of the homeless and that action needed to be undertaken now. She hoped that the council would implement the solution based proposals as outlined in the petition.

- 75.14. Councillor Meadows thanked Ree for her presentation and referred the points raised in the petition and stated that the council and officers were seeking to address the situation and find ways to help those who were homeless. She noted that supported housing was available and cases were assessed as quickly as possible, although not every person could be accepted as being vulnerable. The council was committed to finding accommodation and had identified 2020 as a target for addressing the homeless situation and had piloted the Housing First model. However, there was a need to recognise that people presented with a wide-range of needs which would have to be addressed. She also noted that some aspects required changes nationally and was happy to provide a full response on the matter in writing given the limited time at the present meeting.
- 75.15. Councillor Mears welcomed the petition and stated that she looked forward to the debate at the Housing & New Homes Committee. She believed the council had a duty to the most vulnerable in the community and had to provide a front-line service to support the homeless population. She also noted that the government had maintained funding for local authorities and hoped that this would help to prevent numbers from increasing.
- 75.16. Councillor Gibson stated that he hoped the council could work with Love Activists to address the problems identified and noted that there was a housing crisis in the city which was not in the direct control of the authority. He hoped that pressure could be put on the government to commit to supporting homeless people and to provide more homes. It could impose rent controls which would then ease the private rented sector and make more accommodation available.
- 75.17. Councillor Moonan welcomed the petition and stated that the council did want to work the community and Love Activists to tackle the situation and noted that a new Housing Strategy was being developed.
- 75.18. The Mayor noted the information and called on Councillor Meadows to respond to the petition.
- 75.19. Councillor Meadows stated that the Rough Sleepers Strategy was being reviewed and the council was very aware of the need to support and help the homeless people in the city.
- 75.20. The Mayor then put the recommendation to refer the petition to the Fairness Commission for information and the Housing & New Homes Committee for consideration to the vote, which was agreed.
- 75.21. **RESOLVED:** That the petition be referred to the Fairness Commission for information and the Housing & New Homes Committee for consideration at its next meeting.

76 WRITTEN QUESTIONS FROM COUNCILLORS.

76.1. The Mayor reminded Council that written questions from Members and the replies from the appropriate Councillor were taken as read by reference to the list included in the addendum which had been circulated as detailed below:

(a) Councillor Mac Cafferty

76.2. “Across the entire Council workforce, how many staff in which departments are currently engaged in a redundancy consultation process?”

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

The services covered by these consultations are:-

- Adults Provider Services
- Adults Assessment Services
- Children’s Education and Inclusion
- Children’s Stronger Families, Youth and Communities
- Planning and Building Control
- City Infrastructure
- Housing

The largest groups of staff at risk currently are in Home Care, Children’s Centres, Learning Support Services and the Youth Service and extensive work is ongoing to ensure that redeployment and voluntary severance are used effectively to avoid compulsory redundancy wherever possible.

There are a number of other consultations processes that have not yet started in relation to the 16/17 budget process which mainly relate to services in Adults Provider and Assessment Services where formal consultation processes are due to start over the coming months once public consultation is complete and final decisions have been made about future service provision.”

(b) Councillor Sykes

76.3. “Currently there are approximately 360 staff (240 FTE) involved in consultations related to changes or reductions to services, and within these proposals it is likely that approximately 100 staff will require redeployment or will leave the organisation on redundancy.

Can the leader of the Council provide a detailed breakdown (using equivalent budget lines used in the 2015/16 budget papers) of in-year cuts that have been made or are planned for 2015/16 that were not part of the 2015/16 budget agreed by Budget Council?”

Reply from Councillor Morgan, Leader of the Council.

76.4. "Changes to budgets can only be made in accordance with the rules for transferring budgets under Financial Regulations or by a decision of Policy & Resources Committee or Full Council. Finance Officers have confirmed to me that there have been no cuts to the budgets approved by council for 2015/16. However, the Special Policy & Resources Committee on 4 November 2015 *did* approve early consultation on the redesign of the Independence at Home Adult Social Care service in order to address unachieved savings this year and enable achievement of further savings over the next 4 years. Although not cuts in budgets, in managing the financial position this year, including substantial social care budget pressures, it is the case that a number of measures have had to be put in place including:

- Deferring some Planned Maintenance works;
- Deferring replacement of some ICT equipment, particularly desktop computers;
- Holding vacancies wherever this can be managed without impacting adversely on service delivery;
- Restricting the use of agency staffing but, again, only where this does not impact on service delivery;
- Restricting expenditure on supplies and services where it is not essential or critical to service delivery;
- Encouraging early service redesign wherever there is an opportunity to do so as set out in the Special Policy & Resources Committee in November 2015.

None of these measures or controls have resulted in cuts to budgets and recruitment and expenditure controls have not been applied to services requiring statutory minimum staffing such as social care provision or assessment. Some things will undoubtedly have been delayed and some non-statutory services may have struggled to meet demands but no budget cuts have been authorised. However, following the Special Policy & Resources Committee, there are cases where services have undertaken service redesign that has resulted in changes to staffing through either vacancies or applications for voluntary severance coming forward. This is normal business and where voluntary severance requests come forward there is an expectation that management will take such opportunities to review how services can be delivered differently given the financial challenges we face."

77 ORAL QUESTIONS FROM COUNCILLORS

- 77.1. The Mayor noted that 11 oral questions had been received and that 30 minutes were set aside for the duration of the item. She also noted that since the publication of the agenda, she had been informed by Councillor Wares that he wished to withdraw his question.
- 77.2. The Mayor then invited Councillor Mac Cafferty to put his question to the Leader of the Council.
- 77.3. Councillor Mac Cafferty asked; "It's my understanding the fate of Hove library and all of the library service is tied to the budget and vice-versa under those circumstances don't we need to hear about the library and the library service before the decisions are made through Budget Council. As far as I understand the consultation closes on the library

service in the middle of this month we'll then have budget council but we won't have a decision on the future of the library service until March. To me that doesn't make sense and that's why I'm seeking clarification from the Leader of the Council."

- 77.4. Councillor Morgan replied; "I'm not certain whether Councillor Mac Cafferty is asking me for information on the timetable or whether he's asking for legal constitutional clarification on the timetabling of decisions."
- 77.5. Councillor Mac Cafferty asked the following supplementary question; "I think it's about what way we are supposed to do things and in what order because for me the decision about the libraries and about the budget all comes back to Budget Council. So therefore it seems contrary to the spirit of Budget Council that we make a decision about what happens to the libraries and the library service at another meeting. I hope that's clear."
- 77.6. Councillor Morgan replied; "Obviously if the savings are agreed or not at Budget Council then the consultation and decision making process around that will have to adapt to it subsequently. That is the same with any budget decision."
- 77.7. Councillor Bell asked; "Last month I asked a question and I hope you have received my emails and the letter which I've sent you and I would like you to answer it please. I didn't want to do a repeat of last month but it is about the intervention of officers and the executive directors having a direct influence on or trying to influence political decisions by elected Members."
- 77.8. Councillor Morgan replied; "As I said at the last council meeting Councillor Bell didn't ask his question then and hasn't asked it subsequently. He indicated the subject of it which I've invited him to discuss with officers which he has declined, so it's very hard to answer a question which hasn't actually be asked. If he could be a little more specific, I believe it relates to licencing which I have no control over as Leader of the Council, it's quasi-judicial. So I'm happy to pin that down if he can be a little more specific."
- 77.9. Councillor Bell asked the following supplementary question; "The reason why I declined to meet officers is that I asked if I could have a meeting with the Leader of the Council and he has declined to meet with me personally. So now I will ask him in front of full council. I am asking the Leader of the Council to meet with me and then after that I am happy to meet with officers."
- 77.10. Councillor Morgan replied; "I would be happy to meet with Councillor Bell and if it's about officers then it would be appropriate to meet with the Chief Executive as well. I have not declined a meeting with him and I am really not sure where he's got that perception from perhaps if he could be a little more clear and direct with his question then we could deal with it in a more clear and direct way."
- 77.11. Councillor O'Quinn asked; "Given the proposed works by Network Rail to clear vegetation from the Hove rail cutting and the fact that the rail company does have overall responsibility for the management of the land, will the council seek assurances from the company that residents directly affected by the work will be properly and fully informed and consulted, and their concerns listened to at a public meeting with Network Rail."

- 77.12. Councillor Barradell replied; "I'm hoping you'll accept my earlier response to Ms. Millie Fergusson, a resident affected by this and so allowing us to move more swiftly onto the next question."
- 77.13. Councillor Sykes asked; "As we know this council faces the biggest cuts in its history and these cuts according to the administration's own impact assessments are going to impact heavily on low income and vulnerable groups around the city. At the same time public engagement in the budget is being sharply curtailed at a time when the Administration should be involving people more. When did the finance lead come to the conclusion that it's easier to impose his own solutions on the overall budget than to speak to people involved?"
- 77.14. Councillor Hamilton replied; "Well first of all can I say I don't agree that we have curtailed it because we have put it online and said any one who wanted to could have a paper copy. We have more self-selecting people reply this time than we did last time although I agree we didn't have the chosen sample that we've done in the past. Now with regard to this obviously what I really want to say is that on February the 8th we will have a Budget Review Group meeting. I know that Councillor Sykes has not been happy with the way that we've carried out the consultation on the budget. This is the first time we've tried something a bit different. It's is open to him and anyone else of course who is on the Budget Review Group to come along Monday week and see for themselves the layout of the consultation, the results of it and to suggests ways it might want to be carried out. I'm bound to say we do it partly on financial grounds because last year the budget consultation cost £8,000 and this year we only spent £2,000 on it. It may seem like a small saving but I think it was a point to make but I do think anyone who wanted to could have put in their submissions.

With regards to the outcome of the consultations there were several things that were put forward pointing at the various savings that were going to be suggested and obviously at the present time we haven't got a budget paper available. We will be discussing this again at the Budget Review Group next Monday week and then when it comes along to the council it is entirely up to the 54 people here to decide whether they agree with budget. Other parties can each put down six amendments and then as you know we see what happens and we take it from there. Believe me I'm not the sort of person who would try to insist or dictate how things were happening that way. I think we've done this in a fair and open way. It is open for discussion and if you're not happy with it we can discuss it again and see if we can make any changes to suit Councillor Sykes' requirements."

- 77.15. Councillor Sykes asked the following supplementary question; "The fact is we do not have the statistically robust evidence from the people of the city because we don't send out a questionnaire anymore. The online consultation was frankly cursory, it's about 30 seconds worth of work and so it really wasn't very in-depth but what I found most shocking was the lack of scrutiny process, there was no scrutiny process. Will the finance lead undertake to prepare a full written response to the paper consultation which the voluntary community sector has submitted and that the older people's council has submitted and make that available to everybody in lieu of the scrutiny process which we don't have this year?"

- 77.16. Councillor Hamilton replied; “Well I must dispute your assertion that there was no questionnaire I’ve got a copy here of a draft of some of the outcomes with answers to some of the questions that were asked. As far as I’m concerned if you’re asking questions of the people that is a questionnaire. As I said we are quite prepared to take representations from any organisation, or any groups. There used to be system where we actually did do this in greater detail, there used to be a system where we had to consult all businesses rate payers and as I say perhaps this is something we need to look at. I know that there has been a meeting with the Older People’s Council and I know there have been some representations and some meetings with some community sector groups. All of those things will be taken into consideration because they have been fed back to us as and when they happened. As I say I am entirely willing to make this process as open as possible and have tried to do so but there is a meeting on Monday week where Councillor Sykes can come along with any suggestions he would like implemented next year and we’ll give him full consideration.”
- 77.17. Councillor Barnett asked; “Whenever there is an unauthorised traveller encampment in one of our city parks or open spaces repairs to any damage cause are funded out of city parks budget rather than against the travellers budget could Councillor Mitchell clarify if the council is trying to hide the amount spent on travellers, does she not share my view that money spent on the parks budget should be spent on maintaining our much loved parks and gardens rather than on traveller issues?”
- 77.18. Councillor Barradell replied that she would provide a written response; “I’m going to have to get back to you as I am not aware of that bit coming out of the parks budget. I don’t think it does, I think it comes out of the travellers budget but you’ll find one that does but I’m going to come back to you and I’m happy to copy that to all councillors.”
- 77.19. Councillor Barnett asked the following supplementary question; “The annual budget for the travellers this year is more than £600,000 approximately £25,000 of the parks budget has been spent on making good damage caused to our parks since 2014. Surely this sum should be set against the travellers budget and the city parks budget should not be used in this way. Would you agree and if not, why not?”
- 77.20. Councillor Barradell replied, “The overall costs with travellers and clean-up are actually coming down and the bit that you refer to in your first question I will find out and get back to you. The cost will be coming down partly because this year we will be having the permanent travellers site up and running and that is going to enable us along with the city public space protection order to move people off and again reduce those costs and give the police extra powers. We obviously want to reduce the costs across all council services where we can but in terms of you saying there’s something coming out of the park’s budget I will get back to you on that.
- 77.21. Can I also use this opportunity to encourage people to respond to the public consultation which is up on the website now about the public space protection orders because the more people who engage with that process and also encourage your residents to?”
- 77.22. Councillor Phillips asked; “Since Moulsecoomb centre opened in 1967 it has provided decades of invaluable support for our young people in the city and helped thousands of youngsters to access the support they have needed and to see a brighter future as a

result. Would Councillor Bewick agree that in a time when we are seeing a rise in self-harm and mental health problems among young people it is vital that we continue to provide services that give all young people an opportunity to access peer support and social opportunities?"

- 77.23. Councillor Bewick replied; "In relation to the Moulsecoomb centre I think it's just worth placing that within the wider context of the youth service review. I mean this Administration is comprehensively reviewing the youth service to provide a stronger, much more joined up offer to our young people in the city and that will include those that access the Moulsecoomb service. Without responding to draft recommendations also of an independent employer skills taskforce which has called for a new integrated youth and employability organisation for the city and indeed the wider city region. The youth review group which is chaired by the Director of Children's Services concluded this work on the design principles of any future service last autumn and my committee which Councillor Phillips is a member of course received a report from the group in November, where it was agreed to authorise the Executive Director to consult further with staff, with stake holders and importantly with young people on a number of options including the reconfiguration of the youth collective contract delivered by the voluntary sector."
- 77.24. Councillor Phillips asked the following supplementary question; "I'm unsure whether Councillor Bewick agrees with me or indeed whether he answered that question at all. But my supplementary is as follows and I'd be grateful if he did answer this question. Could Councillor Bewick advise the council how with £400,000 less funding open access youth services will continue to meet the needs of as many young people as at present allowing us to act to prevent young people getting into problems in the first place?"
- 77.25. Councillor Bewick replied; "For the avoidance of doubt I absolutely did agree with the aspect of Councillor Phillips' question about the importance of supporting young people in the city and the importance of having a joined up integrated offer. But once again the lead Member for the Green Party comes with a question which is sort of in a sense coded and fragmented. It doesn't really address some of the real challenges that our young people face and I'm proud to be part of the Labour Administration here for example which is putting the interests of young people front and centre as we look to develop this new youth offer. When we come to Budget Council in February you'll notice that we're protecting the funds that are earmarked to the community and voluntary sector that delivers on our youth services. That is a sign of our commitment but at the same time we're also going to be robust and rigorous about ensuring we deliver better outcomes for young people as well."
- 77.26. Councillor Mears asked; "Can the Chair of Housing confirm that her Administration is fully committed to full consultation with tenants in light of the Hyde meeting convened Tuesday morning with tenant reps and the complete lack of consultation on the housing revenue budget which pays for housing repairs and maintenance and the proposed cuts by this Administration to the tenant movement in the city which they have not been consulted on?"
- 77.27. Councillor Meadows replied; "Regarding the tenant participation structure of course the tenants have an opportunity to look at our budget proposals and that has happened

since September last year. The asset management group, home improvement group and various other groups have in the tenant participation structure look at our asset management strategy and how we are spending the housing revenue account budget and how we prioritise repairs and maintenance so to say that they haven't had that opportunity is a little misleading. It has been the usual way that has been done through your Administration some time ago, the Green's Administration last time and this administration it has been no different. However you did request at the last Housing & New Homes Committee to have a meeting so tenant chairs could be informed as well and that did happen and I'm happy to say many of tenant reps that I spoke to afterwards were very pleased with it although rather surprised to find someone had insisted that they attend."

77.28. Councillor Mears asked the following supplementary question; "Just a point of clarity for Councillor Meadows, under our Administration we had the Housing Management Sub-Committee where tenants were fully briefed on the budget and actually at the meeting on Tuesday it was interesting to talk to tenants because they were not aware of the Administration's cut to area panels, to the estate budget and to the City Assembly. Also I'm not quite sure where that information went. There is a report later in the proceedings with regards to overpayment by the contractor paid for by tenants. What reassurances will the Chair of Housing give to tenants that their money is being well spent and that they will be fully consulted?"

77.29. Councillor Meadows replied; "This relates to the item further in the agenda which is around the Mears overpayment on the contract and I am happy to go through this twice. The overpayment of that amount has been through the Housing & New Homes Committee as you know so well Councillor Mears and it was agreed that we will have a report back to the committee every 6 months. I requested that report because we were assured that the council's monitoring processes and Mears' own monitoring processes would be more robust but I want to be assured that the tenants' money is safe and so we are having that report back. With regard to consultation of course tenants will be consulted but we consult through the tenants' own participation structure as you know if this is not adequate we will review that and find out why tenants feel this is not adequate and we will change their consultation as part of that review."

77.30. Councillor Page asked; "This is about support bus routes which are very important for isolated communities. There's the 37B in my ward, there's the 37 that goes up to Meadow View, the 47 goes to Rottingdean and Saltdean, The 56 goes to Knoll, Hollingbury and Patcham, the 66 or 16 goes to Hangleton & Knoll and I've missed one out of Woodingdean and I do apologise. In the budget savings two months ago that were published the whole of the subsidised bus service was said to be cut and then I was told it's not quite like that we're meeting with the bus companies we're trying to get them to take one or two routes commercially. I've been trying to get information, I've asked in various ways. I'm sorry Councillor Mitchell is not well and I wish her a speedy recovery but can whoever's going to answer my question tell us whether these negotiations are finished yet with the bus companies and are we to expect all the other subsidised bus service to be scrapped next September?"

77.31. Councillor Barradell replied; "These discussions are obviously ongoing with the bus companies to see which services can be run commercially and which will still require a subsidy. At the moment no decisions have been made and like you I would also like to

know, my daughter uses the 37B to get to school. I can assure you that when considering subsidised routes, issues of geographical isolation, gradient and availability of other bus services are all actually taken into account.”

- 77.32. Councillor Page asked the following supplementary question; “These discussions are going on and on and on and Budget Council is in four weeks’ time. I’m not just concerned about the one in my ward; I’m concerned about several other wards and have we any indication whether it’s going to be 100% cut in the budget depending on the outcome of the bus companies meetings or will we get one before the budget?”
- 77.33. Councillor Barradell replied; “I certainly hope we will get one before the budget and I think Councillor Mitchell has just met with them or is meeting with them early next week and hopefully by then we will have some answers. Obviously I’m not going to start divulging even if I know what those discussions were going on with the bus companies because obviously we want them to take on as many routes as possible.”
- 77.34. Councillor Gibson asked; “My question is building on what’s been said already that the well-attended consultation forum to address the brief set by the Housing committee which was to give feedback on the proposed capital and revenue budget so as to help inform Members when it goes to Policy & Resources. At the moment the Housing committee has not approved the proposed budget and we wanted more feedback and there was no consultation on the revenue budgets at this event. So I’m asking if Councillor Meadows is satisfied with the consultation and how she will ensure that as instructed by the Housing & New Homes Committee, we have a proper consultation on the revenue cuts?”
- 77.35. Councillor Meadows replied; “The meeting on Tuesday with the chairs of tenants’ reps actually went exactly as described in the minutes and in our meeting. You may have had an understanding that it may be more but it went exactly as described and at that meeting the tenants were given information and asked for their opinion on the priorities that were set. They were given information about and asked their opinions on how we have spent their money in the past. They were given information and asked their opinion on a number of other things to do with the Housing Revenue Account. Now for some reason some of the tenants believe they were rather misled. They thought they would be commenting on the whole of the council’s budget rather than just the Housing Revenue Account and the General Fund and I felt that that was rather misleading from certain colleagues. The tenants were there to be consulted on the money that is derived from the income from their rents and they are not there to discuss City Clean, they were not there to discuss Children’s services, they were there to discuss specifically the Housing Revenue Account and the General Fund and that is how it was put to them and that is what they were asked their opinion on.”
- 77.36. Councillor Gibson asked the following supplementary question; “At that meeting they were given information about the draft asset management strategy which is something in the future there was no information given about the proposed cuts to the Revenue Budget and no opportunity to discuss these. There was very limited information about the changes to the capital program and that information was wholly inadequate and I will just repeat my question to the Chair; please can you rectify the failure to follow the resolution that was passed by the Housing Committee?”

- 77.37. Councillor Meadows replied; “The draft asset management strategy is a draft because it needs to go to the Housing & New Homes Committee before it is approved and consultation allowed tenants to participate in that draft strategy prior to it being approved. We have to set a balanced budget in the HRA and the general fund and that is why they were given a view of the whole of that budget and not just specified certain elements that you wish to concentrate on.”
- 77.38. Councillor Druitt asked; “I’m aware that the council’s previous policy of procuring energy from renewable sources only was dropped because the cost was too high. Now I sympathise with the problem in times of austerity it is very difficult to agree extra money for extra energy and so for energy procurement when so many essential services face cuts. However, when the world is finally waking up to the dangers of climate change we’re going in exactly the opposite direction. Can Councillor Hamilton assure us that this isn’t the beginning of the unravelling of our commitments to sustainability, to the living wage, to animal welfare and to other aspects of the procurement process?”
- 77.39. Councillor Hamilton replied; “Sustainable procurement is a very big issue and I have managed to make 16 pages of notes on it. Councillor Druitt is right, I believe when the Government moved the goal posts that it was found out that it would cost us another £60,000 for our energy and at that time I think the procurement services said they could do it under their own delegated powers anyway but I was informed of it.

The government have changed the funding and incentives for renewable energy and this has affected the attractiveness of solar PV installations but we will continue to monitor this situation. Our electricity contract is however based on 100% renewable sources and can also use green certified sources provided it is not more expensive than the 100% renewable price. There is an ongoing project to replace heating oil feeds with gas anywhere this is possible.

I will try and get an update for this; it does seem to be that we have now got a Member Procurement Advisory Board with a Green Member on it. It says in my brief that the Members of that particular body are to review and advise with due regard to the council’s core procurement strategy and the council’s core priorities. So it seems to me that that could be raised with that body which meets every couple of months. But I have the question from Councillor Druitt and I will check back with the proper services to see if there’s any update on this. I think we all here want as far as we can to agree with our sustainable procurement policy. It is a good policy; I think it was set up by the Green administration in about 2012 and it is renewed on an annual basis I understand.”

78 CALL OVER FOR REPORTS OF COMMITTEES.

(a) Callover

78.1. The following items on the agenda were reserved for discussion:

- Item 79 - School Admissions Arrangements 2017/18
- Item 80 - Legal Services – Orbis Public Law
- Item 81 - Overpayments on the Housing Repairs and Improvement Contract

(b) Receipt and/or Approval of Reports

78.2. The Head of Democratic Services confirmed that all the Items appearing on the agenda had been reserved for discussion.

(c) Oral Questions from Members

78.3. The Mayor noted that there were no oral questions.

79 SCHOOL ADMISSION ARRANGEMENTS 2017/18

79.1. Councillor Bewick introduced the report which detailed the arrangements for school admissions in 2017/18 and noted that the arrangements had not changed from previous years; other than a reduction in numbers for Brackenbury School in Portslade. He also noted that a more comprehensive review of admissions arrangements for 2018/19 was underway and a report would be made to council in due course.

79.2. Councillor Hamilton stated that the reduction in numbers for Brackenbury School had resulted from a decline in the number of places being sought across schools in Portslade and in recognition that having previously published 60 places as being available, with any number of applications above 30, Brackenbury would be required to run two classes. The proposed reduction to 30 places would enable the school to maintain financial viability and help to address the decline across the area.

79.3. The Mayor noted that the report and the recommendations had been moved and put them to the council for approval.

79.4. RESOLVED:

- (1) That the proposed school admission numbers set out in the consultation documents (as set out in appendix 2 to the report – with the exception of Brackenbury Primary School, where the Published Admission Number be amended from 60 to 30), be adopted for the admissions year 2017/18;
- (2) That the admission priorities for Community Schools set out in the Consultation documents be adopted for all age groups;
- (3) That the co-ordinated schemes of admission be approved;
- (4) That the City boundary be retained as the relevant area for consultation for school admissions.

Note:

79.5 The Mayor then adjourned the meeting at 6.15pm.

79.6 The Mayor reconvened the meeting at 6.50pm.

80 LEGAL SERVICES – ORBIS PUBLIC LAW

- 80.1. Councillor Morgan formally moved the report and the recommendation to establish a joint committee with Surrey and East Sussex County Councils.
- 80.2. Councillor Hamilton referred to the proposed terms of reference and noted that a due diligence process would need to be completed and that any recommendations agreed by his counterparts on the joint committee would need to be referred to the Policy & Resources Committee for approval.
- 80.3. Councillor Wealls welcomed the report and the intention to work with other local authorities to provide services. He noted that the council had a high performing legal service which would be able to benefit from other resources.
- 80.4. Councillor Sykes stated that he had raised some concerns at the Policy & Resources Committee meeting in regard to the potential benefits of moving to joint arrangements but had been persuaded and therefore supported the report.
- 80.5. The Mayor noted that the report and recommendations had been moved and put them to the council for approval.
- 80.6. **RESOLVED:**
- (1) That the establishment of a Joint Committee as the governing body for Orbis Public Law to oversee the discharge of the Council's Legal Services function be agreed;
 - (2) That the Terms of Reference ((appendix 2 to the report) for the Joint Committee be approved and that Councillor Hamilton, Deputy Chair of the Policy & Resources Committee and Lead Member for Finance & Resources be appointed to be a Member of the Joint Committee.

81 OVERPAYMENTS ON THE HOUSING REPAIRS AND IMPROVEMENT CONTRACT

- 81.1. Councillor Meadows introduced the report which had been referred to the council for information and concerned the results of an internal audit review of overpayments identified by the council in respect of contracted housing repairs. She noted that action had been taken to recover the funds and that the contractor had amended its procedures to prevent such a situation from occurring in the future. She also noted that a follow-up report would be made to the Housing & New Homes Committee next year.
- 81.2. Councillor A. Norman stated that as Chair of the Audit & Standards Committee the internal review process had highlighted the value of such action and welcomed the action to ensure procedures were improved. She also stated that should an external review be undertaken then she would not expect the costs of such a review to fall on tenants and that it would have tight specifications.
- 81.3. Councillor Robins suggested the main problem was the over-use of sub-contractors and a failure to monitor their work effectively.

- 81.4. Councillor Bell welcomed the report and stated that it highlighted the need to monitor work closely and have a person responsible for reporting back to the council on the quality of the work i.e. a Clerk of Works.
- 81.5. Councillor Taylor noted that Members had not had sight of the full report on the matter and questioned whether it would be made available so that they could give consideration to the recommendations referred to in the covering report that went to committee. He welcomed the intention to bring a further report to the Audit & Standards Committee and hoped that it would detail the full recommendations of the audit review.
- 81.6. Councillor Druitt stated that he was concerned about the design of the contract and that the company involved had an obligation to monitor its actions.
- 81.7. Councillor Gibson stated that it appeared the contractor had no incentive to monitor the work being undertaken on their behalf and felt that an external oversight of such contracts paid for by the contractor would be a useful approach.
- 81.8. Councillor Peltzer Dunn noted that whilst the matter had been looked at, the same sub-contractor had also been engaged in 2012 and that period had not been investigated. He suggested that it was something that the Housing & New Homes Committee should have considered and suggested that the Chair give thought to its inclusion as part of the continued review of the situation with an update to the council in due course.
- 81.9. Councillor Mears stated that it was one of the largest contracts awarded by the council and it needed to be assured that it was being managed effectively and operated properly. She felt that there was a need to reassure tenants that money was being spent appropriately and that an external review would provide some transparency into the matter.
- 81.10. Councillor Miller stated that he supported the request for an external review to be undertaken and not by the contractor. He believed there were a number of lessons to be learnt from this matter and hoped that they would be taken on board for the future.
- 81.11. Councillor Meadows noted the comments and stated that the contractor had been responsible for quality checks and had taken action to increase the number of surveyors used to undertake those checks. She had asked for bi-annual reports on the contract to committee and noted that there were other investigations on-going and that the council was to be reimbursed by the contractor.
- 81.12. The Mayor noted that the report had been referred for information and moved that it be noted.
- 81.13. **RESOLVED:** That the report be noted.

82 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION:

- 82.1. The Notice of Motion listed in the agenda was proposed by Councillor Hill and seconded by Councillor Horan.

- 82.2. Councillor Hill recognised the work of the Fair Trade Steering Group over the last few years and stated that the aim of the motion was to highlight the need to continue to promote the benefits of fair trade for all.
- 82.3. Councillor Horan formally seconded the motion and stated that in many aspects Brighton and Hove was unique, one such aspect being its sense of community that existed across the city. She hoped that the forthcoming fair trade fortnight would encourage people to consider their actions and show support to the farmers and others involved in fair trade activities.
- 82.4. The Mayor noted that whilst Councillor Horan had been recorded as having given her maiden speech previously, this was in fact her maiden speech and congratulated her on behalf of the council.
- 82.5. Councillor Wealls welcomed the motion and stated that it had prompted him to look at his own habits and to change them and to support the motion.
- 82.6. Councillor Deane stated that she fully supported the motion and hoped that everyone would support the fair trade fortnight and continue to support fair trade across the city and beyond.
- 82.7. The Mayor noted that there was universal support for the motion and put the following motion to the vote by way of a show of hands:

“This Council:

Welcomes the City’s renewal in December 2015 of its Fairtrade City status - first awarded in 2004.

Congratulates the work of the Fairtrade Steering Group over the past years in promoting fair trade to businesses, buyers and consumers and building a partnership which includes Brighton University (the flagship employer), local fair trade retailers and business owners, the Brighton and Hove Food Partnership, faith groups, schools, Councillor representatives on the steering group and Council staff.

Endorses the help being given to the Steering Group by the Economic Development team to promote fair trade to local businesses.

This Council resolves:

To support Fairtrade Fortnight 29th February to 13th March and encourage its suppliers, partners and staff to celebrate the event, which is themed “Sit down for breakfast, stand up for farmers.

To request that Officers draw attention to the educational benefits of fair trade and raise awareness of Fairtrade Fortnight by highlighting it in the Schools Bulletin and suggesting ways in which schools might participate.

To request the Policy & Resources Committee to maintain the Council's commitment to fair trade as part of the Minimum Buying Standards for food and catering contracts, and to look for opportunities to increase its commitment to buying fair trade as much as current budget constraints allow."

- 82.8. The Mayor confirmed that the motion had been **carried** unanimously.
- 82.9. The motion was **carried**.
- 82.10. The Notice of Motion as listed in the agenda was proposed by Councillor Littman and seconded by Councillor Phillips.
- 82.11. Councillor Littman stated that following the Bill's passage through Parliament he wished to amend the motion by deleting the words "a deferral or," in paragraph 5 of the motion. He believed that the actual Bill was not necessary and could cost the council a great deal of money. It did not address the situation and created more problems that were unnecessary.
- 82.12. Councillor Phillips formally seconded the motion.
- 82.13. Councillor Daniel stated that there should be a safe and fair immigration system and the Bill was likely to make it more difficult for people to find accommodation. She was concerned that it would lead to further problems having to be dealt with by local authorities and people being exploited because of their vulnerability.
- 82.14. Councillor Moonan stated that the country had benefitted from immigration throughout history and whilst it was not possible to have unlimited immigration, the Bill did not address the situation that was now being faced across the country. It was already difficult to find accommodation and it was more likely that landlords would be disinclined to offer any accommodation if they were unsure of the information provided to them rather than seek to clarify matters.
- 82.15. Councillor G. Theobald suggested that the motion was a little late to have any influence on the matter as he understood the Bill had already completed its report stage. He disagreed that there was any evidence to support the concerns expressed and believed that the checks required on prospective tenants were straight forward. He also felt that the Government was committed to meeting its obligations in respect of asylum seekers and refugees and there was no need for the motion.
- 82.16. Councillor Phillips stated that there was a genuine unfairness underpinning the issue in that wealthy people could choose where to move and live, whereas the poor had no choice. She believed that it was too easy to dehumanise the situation and that people should be welcomed into the country and supported.
- 82.17. Councillor Littman accepted that the motion was late in the day given the Bill's passage, but he felt that the matter was being raised across the country and as such there was still a need to highlight the concerns held in the hope that the House of Lords would take them into consideration and act accordingly.

82.18. The Mayor noted that the motion had been amended by the proposer and accepted by the council and therefore put it to the vote:

“This council:

- Notes the Immigration Bill before Parliament, and notes that this bill:
 - lacks a credible evidence base with measures in the Immigration Act 2014, which will be extended, yet to be fully evaluated.
 - threatens the rights and welfare of immigrants and British Citizens, increasing discrimination, racism and undermining community cohesion.
 - could cost Local Authorities £32 million over 10 years in supporting families, and substantial unspecified sums in undertaking statutory assessments, and could lead to breaches of the 1989 Children Act.
- Requests the Chief Executive write to the Home Secretary urging a redrafting of the Bill in order to:
 - Ensure that the costs to Local Authorities are fully covered and the legal risks to Local Authorities are entirely removed
 - Remove the provisions in the Bill that prevent local authorities providing support to specific groups of young people
 - Ensure that those whose leave is curtailed or revoked will have an effective right of appeal or administrative review
 - Remove the provisions that prevent destitute refused asylum seeking families from accessing support
 - Remove the right to rent policy
 - Allow asylum seekers to work if an initial decision has not been taken on their application within six months
 - End the policy of indefinite detention for immigrants and asylum seekers.”

82.19. The Mayor confirmed that the motion 82 (b) had been **carried** by 33 votes to 10 with 8 abstentions as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen	✓			Mac Cafferty	✓		
2	Atkinson	✓			Marsh	✓		
3	Barford	✓			Meadows	✓		
4	Barnett		X		Mears		X	
5	Barradell	✓			Miller		X	
6	Bell			Ab	Mitchell	Absent		
7	Bennett			Ab	Moonan	✓		
8	Bewick	✓			Morgan	✓		

9	Brown		X		Morris	✓		
10	Cattell	✓			Nemeth			Ab
11	Chapman	✓			Norman A			Ab
12	Cobb	Absent			Norman K		X	
13	Daniel	✓			O'Quinn	✓		
14	Deane	✓			Page	✓		
15	Druitt	✓			Peltzer Dunn		X	
16	Gibson	✓			Penn	✓		
17	Gilbey	✓			Phillips	✓		
18	Greenbaum	✓			Robins	✓		
19	Hamilton	✓			Simson			Ab
20	Hill	✓			Sykes	✓		
21	Horan	✓			Taylor		X	
22	Hyde			Ab	Theobald C			Ab
23	Inkpin-Leissner	✓			Theobald G		X	
24	Janio	Absent			Wares			Ab
25	Knight	✓			Wealls		X	
26	Lewry		X		West	✓		
27	Littman	✓			Yates	✓		
						33	10	8

82.20. The motion was **carried**.

82.21. The Notice of Motion was proposed by Councillor Sykes and seconded by Councillor Mac Cafferty.

82.22. Councillor Sykes stated that climate change had led to evermore extreme weather conditions and yet there had been significant government cuts to the spending on flooding defences across the country. He believed there was a need for more resources to be made available for flood management bearing in mind that Brighton and Hove was in the top ten flooding areas listed for the country. He also stated that he could not accept the Labour amendment as he felt that there was a need to have some assurance over the downland management for the city.

82.23. Councillor Mac Cafferty stated that the recent events across the country highlighted the need to have greater investment in flood defences. The likelihood was that with climate

change these events would become regular and more extensive and it was therefore only right to prepare for them now.

82.24. Councillor Barradell moved an amendment on behalf of the Labour & Co-operative Group and stated that she believed the work being requested in the motion had already been undertaken. The flood risk strategy had been agreed at the Environment, Transport & Sustainability Committee last year and regular meetings with the Environment Agency were taking place.

82.25. Councillor Inkpin-Leissner formally seconded the amendment and stated that only last year he had experienced the flooding in Moulseccomb and had welcomed the efforts of officers to deal with impact. The council had a robust strategy in place which had been used successfully and was reviewed regularly. There was no need to undertake a further review but he agreed that pressure should be put on the Government to provide sufficient resources and investment.

82.26. The Mayor congratulated Councillor Inkpin-Leissner on his maiden speech on behalf of the council.

82.27. Councillor G. Theobald stated that the Conservative Group could not support the amendment and would abstain from voting on the motion as it directly questioned government policy. He noted that over £1.7b had been put into flood protection programmes across the country and the issue of downland management was something that could be discussed at committee.

82.28. Councillor Sykes noted the comments and stated that the level of funding had gone down and the flood risk strategy did not account for what actions could be taken on the downland estate to relieve flooding in the city. He felt that there was a need to look at the strategy again on this basis.

82.29. The Mayor noted that the Labour & Co-operative Group’s amendment had not been accepted and put it to the vote which was **lost** by 22 votes to 26 with 2 abstentions as detailed below.

		For	Against	Abstain		For	Agains	Abstain
1	Allen	✓			Mac Cafferty		X	
2	Atkinson	✓			Marsh	✓		
3	Barford	✓			Meadows	✓		
4	Barnett		X		Mears		X	
5	Barradell	✓			Miller		X	
6	Bell		X		Mitchell	Absent		
7	Bennett		X		Moonan	✓		
8	Bewick	✓			Morgan	✓		
9	Brown		X		Morris	✓		

10	Cattell	✓			Nemeth		X	
11	Chapman	✓			Norman A		X	
12	Cobb	Absent			Norman K		X	
13	Daniel	✓			O'Quinn	✓		
14	Deane			Ab	Page		X	
15	Druitt		X		Peltzer Dunn		X	
16	Gibson	Not present			Penn	✓		
17	Gilbey	✓			Phillips		X	
18	Greenbaum		X		Robins	✓		
19	Hamilton	✓			Simson		X	
20	Hill	✓			Sykes		X	
21	Horan	✓			Taylor		X	
22	Hyde			Ab	Theobald C		X	
23	Inkpin-Leissner	✓			Theobald G		X	
24	Janio	Absent			Wares		X	
25	Knight		X		Wealls		X	
26	Lewry		X		West		X	
27	Littman		X		Yates	✓		
						22	26	2

82.30. The motion was **lost**.

82.31. The Mayor then put the original motion as follows to the vote:

“This Council notes:

- The latest UK Climate Change Risk Assessment estimates that changes in rainfall patterns caused by climate change may result in more flooding nationally, with the number of properties with a significant likelihood of flooding projected to increase from 560,000 in 2012 to 1.3 million by the 2050s.
- Brighton & Hove is in the top ten Flood Risk Areas in England with more than 30,000 people at risk of flooding and is experiencing more frequent flood events
- Cuts in funding for flood risk management by national government over the past five years have exacerbated damage caused by floods in 2012, 2013/4, 2015, which cost the economy an estimated total £7.5bn as well as causing dislocation and severe distress for people affected.

- Residential and commercial development plans over the next few years in our city provide potential opportunities but also potential threats in terms of surface water flooding.

This Council resolves to:

- Request the Chief Executive to write to the Chancellor of the Exchequer requesting increases in planned Flood Defence Grant in Aid capital funding and in flood risk management revenue funding, in line with analysis by the Environment Agency, National Audit Office and the Association of British Insurers' Flood Free Homes Campaign;
- Request the Environment, Transport and Sustainability Committee to review land use of the city's downland estate from the perspective of reducing flood risk in the city."

82.32. The Mayor confirmed that the motion was **carried** by 32 votes to 0, with 18 abstentions as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen	✓			Mac Cafferty	✓		
2	Atkinson	✓			Marsh	✓		
3	Barford	✓			Meadows	✓		
4	Barnett			Ab	Mears			Ab
5	Barradell	✓			Miller			Ab
6	Bell			Ab	Mitchell	Absent		
7	Bennett			Ab	Moonan	✓		
8	Bewick	✓			Morgan	✓		
9	Brown			Ab	Morris	✓		
10	Cattell	✓			Nemeth			Ab
11	Chapman	✓			Norman A			Ab
12	Cobb	Absent			Norman K			Ab
13	Daniel	✓			O'Quinn	✓		
14	Deane	✓			Page	✓		
15	Druitt	✓			Peltzer Dunn			Ab
16	Gibson	Not present			Penn	✓		
17	Gilbey	✓			Phillips	✓		
18	Greenbaum	✓			Robins	✓		

19	Hamilton	✓			Simson			Ab
20	Hill	✓			Sykes	✓		
21	Horan	✓			Taylor			Ab
22	Hyde			Ab	Theobald C			Ab
23	Inkpin-Leissner	✓			Theobald G			Ab
24	Janio	Absent			Wares			Ab
25	Knight	✓			Wealls			Ab
26	Lewry			Ab	West	✓		
27	Littman	✓			Yates	✓		
						32	0	18

82.33. The motion was **carried**.

83 CLOSE OF MEETING

83.1. The Mayor closed the meeting at 8.25pm.

The meeting concluded at 8.25pm

Signed

Chair

Dated this

day of

2016

