



**Brighton & Hove
City Council**

COUNCIL ADDENDUM 4

4.30PM, THURSDAY, 14 DECEMBER 2023

COUNCIL CHAMBER, HOVE TOWN HALL

ADDENDUM

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BRIGHTON & HOVE CITY COUNCIL

SPECIAL COUNCIL

**3.30pm 19 OCTOBER 2023
COUNCIL CHAMBER, HOVE TOWN HALL**

MINUTES

Present: O'Quinn, Davis, Fowler, Grimshaw BEM, Hamilton, Meadows, McNair, Robins, Sankey, Shanks, Theobald, West, Wilkinson, Williams, Alexander, Allen, Asaduzzaman, Baghoth, Burden, Cattell, Czolak, Daniel, Earthey, Gajjar, Galvin, Goldsmith, Helliwell, Hewitt, Hogan, Loughran, Lyons, McGregor, Miller, Mistry, Muten, Nann, De Oliveira, Pumm, Robinson, Rowkins, Sheard, Simon, Stevens, Taylor, Winder

PART ONE

5. DECLARATIONS OF INTEREST

5.1 There were no declarations of interest.

6. MAYOR'S COMMUNICATIONS.

6.1 There was no Mayor's Communication.

7. FREEDOM OF THE CITY

7.1 The Mayor advised that this item of business related to the proposal to consider whether to remove the honour of Freedom of the City from Aung San Suu Kyi awarded in 2011.

7.2 Councillor Sankey, Leader of the Council formally moved the report.

7.3 Councillors Assaduzzaman, Shanks, Meadows and Earthey spoke on the matter.

7.4 The Mayor put the recommendations as set out in the report to the vote.

7.5 RESOLVED:

(1) That Council revoked the Freedom of the City of Brighton & Hove awarded to Aung San Suu Kyi.

8. CLOSE OF MEETING

8.1 The Mayor closed the meeting.

The meeting concluded at 3.49pm

Signed

Chair

Dated this

day of

2023

Brighton & Hove City Council

Council

Agenda Item 64

Subject: Written questions from Councillors

Date of meeting: 14 December 2023

Report of: Executive Director for Governance, People & Resources

Contact Officer: Name: Anthony Soyinka
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Ward(s) affected: All

For general release

The following questions have been received from Councillors and will be taken as read along with the written answer detailed below:

1. Councillor Fishleigh

When will the development brief for Black Rock be written and marketed?

Reply from Councillor – Rowkins, Chair of City Environment, South Downs & The Sea Committee

Tibbalds were appointed in the summer to begin this piece of work and the current timetable allows for a report to come to committee in March 2024.

2. Councillor Fishleigh

What is the timescale for resurfacing The Green and High Street in Rottingdean and what is the plan to improve the adjacent paving?

Reply from Councillor – Muten, Chair of Transport & Sustainability Committee

Thank you, Cllr Fishley, for your question.

You may be pleased to hear that the Green and High Street are on the provisional carriageway surfacing programme for 2024/25; subject to funding and programme timing. As I am sure you appreciate, next year's programme for will not be finalised until the budgets are set in March 2024 and the final stage of the prioritisation process can be completed.

I have been advised by council officers that the Highways Maintenance budgets do not currently extend to improving the adjacent paving. As such, footway budgets are very limited with the current budgets prioritised to deliver a targeted programme of footway 'seek and fix' which repairs the worst sections of footway first rather than delivering full schemes. This approach ensures that the limited budgets reach the locations that are most in need of safety maintenance. In all cases, our Highway Inspectors walk every road in the City a minimum of once every 6 months (more frequently

in busy areas) and all investigation level safety defects are investigated and actioned as per our approved Highway Safety Maintenance Policy.

I will ensure that an assessment is done as we plan the resurfacing of The Green and High Street in Rottingdean to ensure that the footway 'seek and fix' approach addresses any safety defects in the adjacent paving.

3. Councillor Fishleigh

Which BHCC-owned assets have been identified for disposal, what are the timescales and asking prices?

Reply from Councillor – Sankey, Leader of the Council

Property Parts 1 and 2 reports presented to Strategy, Finance & City Regeneration on 7th December Committee asked for approval to proposed disposals for non-HRA residential properties that are vacant, surplus to requirement and poor performing commercial properties as part of a Commercial Investment Strategy. Estimated valuations are commercially sensitive and confidential and once approval is obtained, marketing of the vacant properties will commence.

4. Councillor Earthey

EV charging is a problem for people without off-street parking, but there are solutions for these people such as 'EV Channel Charging', that can be implemented without cost to councils because the residents bear the cost of the charging infrastructure. Is BHCC following the lead of Nottinghamshire and other councils and evaluating these schemes for possible adoption in Brighton?

Reply from Councillor – Muten, Chair of Transport & Sustainability Committee

Thank you, Cllr Earthey, for your question.

We are aware of some trials that local authorities (LAs) are undertaking to allow residents to lay their own EV cables in channels dug into the pavement. We will watch with interest when those trials are complete and the LAs publish their findings, however we do have concerns about the channel strategy, in terms of accessibility to the space, the potential for trip hazards and ongoing maintenance. We expect the trials currently being undertaken by other LAs will provide some useful insight that could be considered as part of our future EV charging infrastructure strategy.

It is also important to note that the channel solution requires a parking space to be available directly outside a resident's property, which unfortunately is not something that we can guarantee, due to the high and increasing demand for both parking and charging. For this reason and close proximity

of terrace properties and flats, connection with individual private dwellings may not be the best communal option. We are committed to delivering our next phase of designated parking bays for communal EV charging across our city.

5. Councillor Earthey

Assuming a positive outcome to the evaluation, by when could BHCC implement a city-wide 'EV Channel Charging', which would allow our residents without off-road parking to charge their electric car at a reasonable cost?

Reply from Councillor – Muten, Chair of Transport & Sustainability Committee

We will be going out to tender for Phase 2 of our EV charging programme early next year and fully expect a lot of interest and competition in the opportunity. The evaluation process will consider the cost of charging as a key element. Some operators have already started to offer off-peak charging rates to their customers, taking advantage of lower energy prices overnight or when the network has extra capacity. Operators may also propose innovative solutions that we are not yet aware of. We shall await the outcome of the procurement before considering any alternative approaches.

6. Councillor Earthey

BHCC's 'Blink Charging' currently costs EV users between 60p/kWh and 78p/kWh, plus a 20p transaction fee. Why are these charges so high, being around double the commercial cost of electricity?

What proportion (if any) of Blink Energy's tariff revenue goes to BHCC?

Reply from Councillor – Muten, Chair of Transport & Sustainability Committee

Thank you, Cllr Earthey, for your further question.

EV cars do offer a low carbon and cleaner alternative. As EV car prices are now reducing and more come onto the second-hand market, we are gearing up our provision of EV charging across our city. This is why we are committed to delivering the next phase of on street EV charging in 2024 bringing hundreds more charging points to all parts of the city.

The Blink charges are comparable to the national averages, according to recently published figures from ZapMap ([Zapmap Price Index - Average weighted price to charge on the public network - Zapmap \(zap-map.com\)](https://zapmap.com)). The average price nationally in Oct '23 for public charging at a 7kW charger was 55p/kWh and 79p at rapid/ultra. Blinks rates sit within that average, albeit a little over on the slow charging option at 60p, and slightly under at 78p for rapid charging.

It is important to note a direct comparison between the residential rate of electricity and the on-street rate cannot be made as residential prices are not subject to VAT. In the same way that energy companies apply a standing charge to households, Blink's charge also includes an element to cover their own costs of providing this service. It should also be noted that Blink provided the majority of the investment for the City's EV charging network and are a commercial organisation.

The current contract with Blink is regularly price checked against our neighbours and the national average to ensure that our users are charged fairly. As previously mentioned, the new procurement we will be undertaking will test the market further on price charged to the user. As always, charges are subject to variation as the energy market fluctuates. Price increases are minimised and when the market allows we will ensure that price reductions are passed on to the user.

To take a phrase from COP28, our opportunity for Fossil Fuel Phase Out is now. Thank you for raising this – yes, we are on this and want to set prices that mean more can chose EV rather than burning polluting fossil fuels. This is why we are committed to delivering the next phase of on street EV charging in 2024 bringing hundreds more charging points to all parts of the city.

7. Councillor Earthey

Ovingdean, Rottingdean, and West Saltdean have only one of the city's 400+ EV charge points, but we have much more than 1/400th of the city's population. When is BHCC going to address the chronic shortage of public EV charge points in the Ovingdean, Rottingdean, and West Saltdean areas by giving us a fair share?

Reply from Councillor – Muten, Chair of Transport & Sustainability Committee

Thank you Cllr Earthey.

This is a really good point. I agree, Ovingdean, Rottingdean, and West Saltdean areas should have their fair share to access public on-street EV charge points. A Climate and Biodiversity Emergency was declared in 2018 and Fossil Fuel Phase Out is for every part of our city and is important and pressing.

Our initial focus has been to provide charge points in locations where there is a high density of households with no access to off-street parking and where there has been demand for a charge point from those residents. The funding we have received to date prescribed this approach.

Subject to receiving additional funding from central government (Office for Zero Emission Vehicles or OZEV) in the new year, we will be able to broaden the criteria with our next installation (Phase 2). We must still focus on residents on who do not have off-street parking, but we will be ensuring

that charge points are evenly distributed across the City. Our aim is to have a charge point within a short walk of every resident who needs to charge their vehicle and who does not have off-street parking.

We will consult with all stakeholders in the second quarter of 2024 about potential new locations. Residents who would like to request a charge point can do so via our website [Support for electric vehicle owners \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk).

We are committed to installing on-street EV charging in all areas with the next EV charging phase planned in 2024. Thank you for your support in calling for this to happen at pace. We agree, we act, we will deliver.

8. Councillor Bagaeen

S106 Moda

Residents in Hove Park are angry about the manner in which S106 allocated under a legally dining agreement have been repurposed against the terms of the legal agreement between the council and Moda. Could you please confirm who took the decision to repurpose the s106 monies which was in place to mitigate the impact of the Moda development on the local community?

Please also confirm how the decision to repurpose the s106 funds was taken and why was this not formally communicated when the decision was taken to members of the Moda Community Liaison Group, a formal group that has had senior officer membership and support for a little over two years.

Reply from Councillor – Robins, Chair of Culture, Heritage, Sport, Tourism & Economic Development Committee

The S106 agreement does not allocate funding to particular projects in specific wards adjacent to the Moda development. It highlights certain council assets where the funding could be used and the Kingsway to the Sea site is one of the assets identified in the agreement.

The council has been working with the Moda Community Liaison Group on various aspects of the S106, including the implementation of the artistic contribution and the identification of a number of small, local schemes that various local groups have identified (eg basketball court refurbishment in Hove Park.) Subject to further work on costs, it is anticipated that the majority of these projects will proceed funded through the S106 contribution. We caution Tory ward councillors against misleading residents about how S106 funding works and political mischief-making, and particularly against using such inflammatory language.

The decision to allocate further funding to Kingsway to the Sea, was also one taken transparently through the committee process. Following the public consultation on the Kingsway to the Sea project (which identified overwhelming public support to re-provide key facilities if funding could be

found), the October Strategy, Finance and City Regeneration (SFCR) Committee meeting approved the use of a further £1.29M of S106 receipts, including circa £800k from monies being paid to the council for the Moda development. These unique facilities will benefit many residents in the new development, the immediate vicinity and across the city.

Having checked the attendee list for the meeting, I can confirm that Cllr McNair was present at October SFCR and suggest that the Conservative Group improve their internal communications.

Following a query received from the developer, myself and officers have been in discussion with Moda to clarify various points. working arrangements and operational procedures. This will include clarifying the scope, costs and implementation mechanisms for the local schemes that have been identified to date.

9. Councillor McNair

Is it true that the Labour Group have commissioned Gendered Intelligence to conduct Cllr Thompson's 're-education' and Labour Group training?

How can the council and the public have confidence in the Labour Administration when there is publicly available concern that Gendered Intelligence consistently misrepresent the law, not least in their co-authorship of the report Transforming Futures, within which it attacks the principles of consent to sex?

How does this

a) align with current laws around consent and

b) align with the administration's commitment to a strategy to tackle violence against women and girls?

Reply from Councillor - Pumm, Chair of Equalities, Community Safety & Human Rights Committee

I can confirm that Labour Group councillors attended a thoughtful and informative training session on trans awareness provided by Gendered Intelligence. As elected representatives, we are keen to continually build our understanding of the issues facing people in our community.

As an administration we are absolutely committed to tackling violence against women and girls in all its forms and are currently consulting on our draft strategy for the next three years. The draft strategy outlines our partnership approach to tackling violence against women and girls (VAWG) in Brighton & Hove and we're inviting residents, partner agencies, businesses and community organisations to help us shape the plans.

10. Councillor McNair

Bins at Carden Park

Carden Park is a very popular park. It is also home to a thriving community centre. Could there be an increased number of bins and recycling bins placed at Carden Park, near the community centre, to encourage a reduction in litter and improve recycling rates?

Reply from Councillor – Rowkins, Chair of City Environment, South Downs & The Sea Committee

The way waste in parks is handled is not ideal and there are aspirations to introduce recycling and collect with vehicles more suitable for the purpose. This would involve incorporating parks recycling in with Cityclean recycling rounds and therefore is dependent on the remodelling of rounds. This will be a possibility once the rollout of forthcoming in-cab technology is completed and rounds are reviewed.

11. Councillor Lyons

Pothole repairs

Is the council considering the implementation of a public system for monitoring, prioritising and planning for pothole repairs, according to safety and especially volume of cars etc?

Reply from Councillor – Muten, Chair of Transport & Sustainability Committee

Thank you, Cllr Lyons.

BHCC follows national guidance on the delivery of the Highway Safety Maintenance Service, taking a risk-based approach as set out in the National Code of Practice. The fundamental principles of the Code of Practice are that highway authorities develop their own approach to maintenance of highway infrastructure, using risk evaluation to determine local needs, priorities and affordability.

The details of the BHCC approach, including road hierarchies and the risk matrix, can be found in the Highway Safety Maintenance Policy and the Strategy for Well-Managed Highway Infrastructure. Both documents are presently being reviewed. Although officers are not anticipating major changes to the current approach; any minor updates will be brought to Committee for approval in the new year.

We are working with our communications team with a view to improving the customer engagement for those wishing to report safety concerns such as potholes. Decisions about how and when to prioritise repairs need to be

taken as part of a robust risk-based approach that is implemented by qualified Engineers and Highway Inspectors.

Our news story on our website dated 3rd October highlights some excellent work repairing potholes across our city. This includes Road Resurfacing on Falmer Road (The Vale to The Green), London Road (St Peters Place to Preston Circus), Preston Road (Cumberland Road to Tongdean Lane), Trafalgar Road junction with Victoria Road, Warren Road, Lewes Road junction with Coldean Lane, Old Shoreham Road (Hangleton Link to Locks Hill) with the work on Lewes Road and Old Shoreham Road funded by National Highways following our successful bid for funding.

12. Councillor Lyons

New crossing at Hangleton Road crossroads

Why has the council decided that anyone walking from Snakey Hill direction can't cross at the new crossing at the Hangleton Road crossroads? Despite putting in lights, it's still dangerous to cross.

Reply from Councillor – Muten, Chair of Transport & Sustainability Committee

Thank you, Cllr Lyons

Traffic signals have to be replaced about every 18 years or so. Like any other piece of equipment – as with 13 years of Tory rule - as they age, they become increasingly unreliable and prone to failure.

When we do these refurbishments, we look at what else can be done at the same time without significantly increasing the cost. At this junction we added some cycle lanterns, a new crossing on Clarke Avenue and widened the existing crossing on Hangleton Road west. We also looked at adding new crossings on Court Farm Road and Hangleton Road west but this entailed significant engineering to the highway and footpath which was not feasible within the limited funds available.

13. Councillor Lyons

Santa Bus

Will the council work with Brighton & Hove Buses to bring the Santa Bus to Withdean next year?

Reply from Councillor – Muten, Chair of Transport & Sustainability Committee

Thank you, Cllr Lyons, for you for your question.

I agree, the Santa Bus is wonderful and visits many communities, across the city every December, bringing not only festive joy but also raising substantial sums for charity and it has grown over the years.

When I met with Brighton and Hove Buses, they said they start planning their Santa Bus rounds from January each year. I asked them to make sure they include Withdean next year to bring smiles more children throughout our city.

I also managed to get teams call with Santa who assures me that Santa will be coming to homes Withdean in 10 days' time and is very keen not to miss any children out in our city this year.

14. Councillor Theobald

Patcham Roundabout

I observe that the landscaping improvements at the unsightly Patcham roundabout on the A23 at the entrance to our City have still not been started.

Please can you print out on the agenda the reply to my most recent question on this subject earlier this year, the reasons why yet again the assurances given to me have failed to be implemented and when after all these years works will start.

Reply from Councillor – Muten, Chair of Transport & Sustainability Committee

Thank you for your question Cllr Theobald.

I have taken a look at my response to you at Full Council on 20th July this year as well as the answers you received at Council on 17th December 2020 and to Full Council on 21st July 2022 regarding Patcham Roundabout. I tend to agree with your concern about progress.

Officers advise that the council's financial constraints has limited progress. Officers are reviewing the costs involved to ensure sufficient budget is available to progress this, without placing any further financial strain on the council. Once this is completed, a further update can be provided.

I share your concern. I will pursue the improvements at the Patcham Roundabout that are called for and update you as soon as possible. I sincerely trust you share my concern about the national government placing increasing and unreasonable financial strain on the public pursue and could agree with me the 2024 is definitely time for complete change from Tory roundabout of chaos to bring in the change we truly need.

15. Councillor Theobald

Change of use for Hippodrome

Please can you advise me of the grounds for planning permission for change of use of the Hippodrome from bingo to live performance and entertainment being refused under delegated powers?

Reply from Councillor – Loughran, Chair of Planning Committee

The principal Hippodrome application remains under consideration and has not yet been determined (BH2022/02443). This will go before the Planning Committee before a decision is reached.

The applicant also recently applied for a lawful development certificate (LDC under BH2023/02483) to seek confirm that the Hippodrome had an authorised use as a live public performance entertainment (with ancillary provision of food and beverage). However, since the last use of the building was as a Bingo Hall (sui generis) and has been vacant since this time it could not be considered to have a lawful planning use as a live public performance entertainment space.

The reason for refusal was as follows:

The evidence presented indicates that at the time of the buildings last use in 2006 the established lawful use of the property is considered to be as a bingo hall with ancillary entertainment performances, food and beverage (Sui Generis by virtue of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.). As such, planning permission would be required for the proposal as a "live public performance entertainment" space which is materially different from the last lawful use of the site.

As I am sure you are aware whilst a live public performance entertainment space falls within the "sui generis" use class and so does a bingo hall, each use that is a sui generis use is considered a use in its own right and requires planning permission. Therefore the decision was taken that it had not been demonstrated that the lawful use of the Hippodrome was as a live performance venue and planning permission would be required to re-use it as such.

In direct answer to your question, as this application was a Lawful Development Certificate, such applications are a legal determination based on the evidence presented by the applicant only and for these reasons these types of application are for officers to determine under delegated authority as the judgements are very legal and technical.

The principal application which seeks to restore the public performance function to the Hippodrome does remain under consideration and will not be determined as a refusal or approval without going before the members of the Planning Committee. We are still encouraging the applicant to submit some additional pieces of information required to progress the proposal and

we do not consider the refusal of this certificate (LDC) to hold up the main application.

I hope that the above is clear but do let me know if you would like any further clarification.

16. Councillor Meadows

Flooding in Warmdene Road

Flooding in Warmdene Road is worsening, and more properties are being regularly affected. When is the report into flooding in Warmdene Road likely to be ready? When are flood gates to newly affected properties likely to be installed?

Reply from Councillor – Rowkins, Chair of City Environment, South Downs & The Sea Committee

Warmdene Road is a known problem area in the Preston Park catchment. BHCC is working on local flood risk management strategy which includes a catchment prioritisation-based approach. We are close to finalising a Section 19 flood investigation report for the highly risky areas and this should be in place by the first quarter of 2024. We then aim to proceed with SuDS retrofitting and Property Flood Resilience interventions for Warmdene Road in the second quarter of 2024, depending upon the availability of resources. In 2019, 17 properties were protected and we would like to extend the protection level with more sustainable solutions.

17. Councillor McNair

Lighting at Old Boat Corner Community Centre

It is extremely dark around Old Boat Corner, especially in winter, making the centre challenging to access and potentially dangerous. Will the possibility of additional lighting be investigated?

Reply from Councillor – Pumm, Chair of Equalities, Community Safety & Human Rights committee

Unfortunately, at this moment in time the Street Lighting Team are not funded for the installation of additional lighting requests across the city.

Funds would need to be found to finance the new installation then our team would be able to adopt the new lighting installation and add that to our inventory and maintenance regime providing the equipment meets our specifications. We are funded for the essential maintenance of our stock; additional funding would need to come from another source as part of another project or from another service. The street lighting team are not able to identify where this additional funding will come from.

At the moment, we are not in a position to install any new street lights.

18. Councillor Hill

Currently there are £4,284,541 of unallocated Section 106 funding which can be committed for education infrastructure. At the last CHSTE committee meeting, it was stated that the Council is 'currently reviewing demand for infrastructure across the city to address issues, including falling numbers on roll, SEN provision and Alternative Provision. As part of these proposals, they will be seeking to maximise the use of existing S106 funding the council has secured for education, in order to minimise the revenue borrowing costs the council will incur. Will the Council consider consultation with local schools and parents about how best to use these funds? Can it provide further information as to any stipulations behind this money, such as where funds need to be committed to a specific geographical area and whether or not it can be used for youth services? How much does the Council expect to use to cover revenue borrowing costs?

Reply from Councillor – Taylor / Helliwell, Joint Chairs of Children, Families & Schools committee

We welcome the availability of Section 106 funding to make necessary education infrastructure improvements across the city.

We are aware of certain stipulations around the use of S106 funding and will ensure that any spend is made appropriately within that. We are also looking at how best we can maximum the use of this S106 funding, alongside other funding streams such as education maintenance and basic needs capital and high needs provision funding and the additional resources provided by being part of the DfE's SEND and AP change programme, to ensure that benefits are maximised and both immediate, medium term and long term infrastructure needs can be met. Our understanding is that Youth facilities would not be covered unless part of educational delivery in schools and other education settings.

We have already earmarked some S106 funding to particular projects in our schools and ensured alignment with the geographical limitations placed upon some of the funding. It is essential that we maximise the use of this funding for the long term delivery of education that meets the needs of all of the city's children. This is why consultation with all partners is important before all funds are allocated.

Wherever possible, Section 106 funding will be maximised to fund capital investment in educational infrastructure across the city to reduce the need to borrow for such infrastructure. This will therefore reduce the related revenue costs of interest and Minimum Revenue Provision. The review of available S106 funding against the need for capital investment will determine the level of revenue savings associated with reduced borrowing.

The council's current proposals for tackling falling pupil numbers is currently out for public consultation. Any future expansion of SEN provision in the city

is managed via consultation with city schools and with our parent representative groups.

19. Councillor Shanks

As a draft budget has not been brought to the December Committee can the administration tell us what processes are in place to allow scrutiny of budget proposals by opposition and community groups?

Reply from Councillor – Taylor, Deputy Leader of the Council

While there is no legal or constitutional requirement to bring a draft budget report to committee, we do want to ensure that we engage widely on budget proposals with our key stakeholders including staff, trade unions, statutory and community & voluntary sector partners and, of course, people affected directly by proposed service changes. We have had some meetings already and will be ensuring that further meetings are held over the next few weeks as proposals firm up. We would of course prefer to be in a more advanced position, but the government's Autumn Statement announcement was the latest yet, being 5 days later than last year, giving local authorities extremely short notice to plan effectively for next year. Not only that, but it is also a very challenging Autumn Statement, containing no additional resources compared with those announced last year despite an ongoing cost of living crisis and inflation running well above the government's own forecasts. The result is the largest projected budget shortfall in this council's history which is presenting difficult choices and is inevitably more challenging to resolve. We will be bringing budget proposals to the Strategy, Finance and City Regeneration Committee in February, before then taking it to the Full Council. Opposition groups will of course have the normal opportunities to debate the budget and propose changes.

20. Councillor Hill

Can the council explain if, and when, a change of policy was agreed on the community's purchase and use of planters? Residents in my ward are willing to buy their own planter which will also have the added benefit of helping prevent fly tipping in a spot that is well known for litter.

Reply from Councillor – Rowkins, Chair of City Environment, South Downs & The Sea Committee

Thank you for your question. The Council has never had a dedicated policy in place to support the installation of planters by residents or community groups. Previously, planters financed by these groups have been refused or agreed in a non-consistent way without any ongoing maintenance agreements in place. Unfortunately, some planters that were installed in good faith by residents or community groups have not been maintained.

This has led to them falling into disrepair and attracting litter, and the council has had to step in to remove them when they became a safety concern.

When planters are installed, the council has to be sure that the ongoing repair and maintenance of these planters is secure. The new policy is still being drafted and will set out legal agreements and costs for anyone requesting planters. We had hoped to be able to put the draft policy before committee this year but have been waiting for the New Manual for Street guidance from DfT. This was due to be released in Spring 2023 but has yet to materialise. We still do not have a date for this guidance, but officers will be meeting with DfT in the coming weeks and will push for an update.

Once the Manual For Streets guidance is released, we will complete the draft policy and present it to committee as soon as possible.

21. Councillor Shanks

What are the total savings generated by items being brought forward to this financial year which would ordinarily be left to the February budget?

Reply from Councillor – Taylor, Deputy Leader of the Council

At this stage, there have been no budget savings brought forward into this financial year. The current forecast outturn as at the end of October is for a £2.87m overspend, a significant reduction on forecasts early in the year and an improvement of £6.1m since the previously reported position for August. This has been achieved through financial management action across all service directorates as normal, together with council-wide recruitment controls and instructions to all budget managers to restrict expenditure to essential and critical spending only. Spending on some non-statutory, discretionary items has therefore been held back where there are no contractual commitments, whilst some one-off resources have also been identified to assist the overall position such as reduced Waste PFI costs.

22. Councillor Hill

Will Councillor Trevor Muten meet with Round Hill residents who are concerned with rat running? They have repeatedly asked him for this to no avail thus far.

Reply from Councillor – Muten, Chair of Transport & Sustainability Committee

Thank you, Cllr Hill.

Yes. Of course. I am sorry if I have missed a specific invite. Please, let's find a date that works. I am more than happy to meet with Round Hill residents to discuss rat running.

The Safer, Better Streets report was presented to the Transport and Sustainability Committee last week (5/12/2023). This report included the assessment process and associated priority list for improvements, prioritised based on a thorough assessment process to ensure that limited funds are allocated to those locations most in need. Round Hill was included in the assessment process, but this time was not identified amongst the highest priority locations.

However, I am keen to better understand residents' concerns and how to bring forward improvements where we can. I met with residents of Upper Abbey Road soon after the October Full Council meeting and listening to residents and understanding their concerns in their streets makes a big difference in helping to find solutions that work. As a result, we have found some funding to progress improvements in Upper Abby Road. Thank you and I await you invite.

23. Councillor West

What legal basis is there for the recent move to restrict official opposition spokespeople from receiving officer briefings for committee and council meetings?

All elected members have equal voting rights in committees, but some are now being deliberately kept in the dark about the council's business. Well informed scrutiny and the opportunity to recommend improvements are essential to ensuring service are delivered well. So how can the restrictions on access to information and involvement, councillors are now face with, be explained as a good thing?

Reply from Councillor – Sankey, Leader of the Council

Officer briefings are available for Opposition Councillors on Committee items upon request. The Council's constitution contains full details of the Access to Information provisions that are in place, including the ability of Councillors to request and receive information relevant to their role under the 'Need to Know'. Committee reports are published at least 5 working days in advance of the relevant meeting (unless urgency or confidentiality provisions apply) in accordance with legal requirements. Councillors are able to ask questions, both written and oral, at Council and Committee meetings as well as submitting letters and supporting petitions, enabling scrutiny of decisions to take place prior to a decision being taken.

The previous system of pre-meetings prior to Committees was not a legal or constitutional requirement. It was a voluntary arrangement agreed by the Leaders of the Political Groups in response to the need to obtain consensus in a situation of no overall control.

24. Councillor Shanks

Will the administration undertake to pursue the divestment of any shares in fossil fuels from the East Sussex Pension Fund?

Reply from Councillor – Taylor, Deputy Leader of the Council

East Sussex County Council is the Administering Authority for the East Sussex Pension Fund and through its Pension Committee, made up of East Sussex County Council councillors, determines the strategic investment policies for the fund. However, this council, as an Admitted Body, is able to make representations through the separate Pension Board, which has a scrutiny role. In 2021 this council approved a Notice of Motion requesting the Chief Executive to write to the fund to urge them to divest fully from fossil fuels as quickly as practicable. At that time the fund had a 4% exposure to fossil fuel equities but reduced this to under 2% the following year. The fund has further improved its position and the latest statement on its website states:

‘The Fund has no exposure to fossil fuel companies within its equity portfolio which represents 40% of the total strategy.

The Fund was the 2021 winner of the Local Authority Pension Fund ‘Fund of the year’ and was highly commended for its Climate Change Strategy.

The Fund were signatories to the Investor Agenda’s 2021 Global Investor Statement to governments on the Climate Crisis, urging governments to rapidly scale up their climate ambition.

The Fund invests in two specialist index fund managers, Storebrand and UBS Asset Management, both of whom have a fossil fuel free investment strategy and also exclude companies with large exposure to the value chain of fossil fuel producers.

25. Councillor Mcleay

How can the Council better support and empower the SWEP service to secure a venue that provides more flexible emergency shelter provision? Given we are just entering winter, and SWEP has been in operation for over 12 days consecutively, can more funding be allocated to this service and help save lives?

Reply from Councillor – Williams, Chair of Housing & New Homes Committee

It appears that Councillor McLeay lacks understanding of the meaning and purpose of SWEP.

It is important that anyone sleeping rough is offered help as soon as possible and that the assistance offered meets their needs, so accommodation for people on the streets is provided through referrals from

organisations who understand what's available and what support is needed. This is available all the time, every day.

SWEP (Severe Weather Emergency Protocols) works in addition to that service.

SWEP is an emergency shelter to keep people safe when the weather is severe. It provides additional shelter for rough sleepers in severe weather. We open a severe weather shelter when the temperature feels like 0 degrees Celsius or when there is an amber weather warning. Brighton & Hove City Council has one of the lowest triggers for opening SWEP provision in the country. That is why SWEP has recently been open for 12 consecutive days.

Shelter is available to anyone rough sleeping referred through the street outreach team. There isn't a limit on numbers or any requirement for a local connection as the purpose is to keep people safe during extreme weather. Additional venues are opened if needed to meet demand.

26. Councillor Shanks

When is the administration planning to convene the next Climate assembly? Following the transport one it was agreed to use the same process for other issues and housing was the suggested next topic.

Reply from Councillor – Sankey, Leader of the Council

Since taking control of the administration, we have reviewed the approach to achieving carbon neutrality and our focus is on an evidence-based approach that provides value for money. This is being developed through our decarbonisation pathways work.

The council is at present considering the best way to engage the local community through existing groups and partnerships, and supporting community events, for example through our Re-Imagine engagement programme.

27. Councillor Shanks

Seaside homes- please provide an update on the situation with seaside homes.

Reply from Councillor – Williams, Chair of Housing & New Homes Committee

In line with the delegation of authority agreed at Joint Housing Committee and Policy & Resources Committee [27th February 2023]. The council is in discussion with Seaside Homes and other parties with a shared interest to seek to end the current Local Delivery Vehicle arrangement in order to bring the temporary accommodation currently leased to Seaside Homes back into Council control.

These discussions are complex. We can neither pre-determine the outcome of these discussions, nor the time it will take should an agreement be reached, in order to undertake the due diligence required for the Committee to make a final decision.

28. Councillor Pickett

Brighton & Hove is home to a huge and unique elm tree collection and has been designated as holder of the UK national elm collection. However, we are losing elm trees faster than ever before because people are bringing infected logs into the city. What extra precautions have the council taken to maintain this special collection and to improve messaging regarding the spread of elm disease and the movement of diseased and infected elm logs around the city, particularly as this is the time of year when residents are buying logs for popular wood burners?

Reply from Councillor – Rowkins, Chair of City Environment, South Downs & The Sea Committee

Thanks for your question. As you know, this is something to which I've been paying a great deal of attention.

Earlier this year, we begun an inoculation programme for some of our high value, most mature Elms in the city centre. This will involve yearly doses and will be monitored for efficacy.

We do try and encourage as much media coverage of the value of the city's elms and the risks they face, and I have made several TV and radio appearances on the subject.

On a small- scale, staff do sometimes pick up Elm log movements, but success depends on public vigilance, awareness and cooperation, which is why the best approach to this is wide reaching publicity.

In September I wrote to DEFRA to request assistance in protecting our collection, but unfortunately material help was not forthcoming. They have asked us whether we would like to take part in some wider national research and our Arboriculture Manager is assessing whether we have the resources for this.

Earlier this week, I made a short video with one of our Arboriculture team in which we explain in simple terms how residents can identify Elm logs which will better equip them to help us manage the situation. We are also developing the key points into a visual guide and will be contacting some of the larger retailers of logs in the city to make sure they have this information.