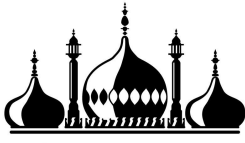


**BRIGHTON & HOVE CITY
COUNCIL MEETING**

4.30PM 19 MARCH 2009

COUNCIL CHAMBER, HOVE TOWN HALL



AGENDA



Brighton & Hove
City Council

Council Meeting

Title:	Council
Date:	19 March 2009
Time:	4.30pm
Venue	Council Chamber, Hove Town Hall
Members:	All Councillors You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Reverend Stephen Terry
Contact:	Mark Wall Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	The Town Hall has facilities for wheelchair users, including lifts and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	FIRE / EMERGENCY EVACUATION PROCEDURE If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions: <ul style="list-style-type: none">• You should proceed calmly; do not run and do not use the lifts;• Do not stop to collect personal belongings;• Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and• Do not re-enter the building until told that it is safe to do so.

AGENDA

60. STATUTORY OR VOLUNTARY DISCLOSURE BY COUNCILLORS OF INTERESTS IN MATTERS APPEARING ON THE AGENDA.

61. MINUTES

1 - 68

To approve as a correct record the minutes of (a) the Ordinary Council meeting held on the 29 January 2009 and (b) the minutes of the Budget Council meeting held on the 26 February 2009 (copies attached).

62. MAYOR'S COMMUNICATIONS.

63. TO RECEIVE PETITIONS FROM MEMBERS.

Petitions will be presented to the Mayor by Members of the Council at the meeting.

64. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of the 12 March 2009 will be circulated separately as part of an addendum at the meeting.

65. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

A list of deputations received by the due date of the 12 March 2009 will be circulated separately as part of an addendum at the meeting.

66. WRITTEN QUESTIONS FROM COUNCILLORS.

69 - 72

Note: Councillors written questions as listed will be taken as read along with the written answer at the meeting. The Councillor asking the question may ask one relevant supplementary question which shall be put and answered without discussion. One other supplementary question may be asked by any other Member of the Council which shall also be put and answered without discussion (a separate addendum with the written answers will be circulated at the meeting).

67. REPORTS OF THE CABINET, CABINET MEMBER MEETINGS AND COMMITTEES.

(a) Call over (items 68, 69 and 70) will be read out at the meeting and Members invited to reserve the items for consideration.

COUNCIL

(b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.

(c) Oral questions from Councillors on the Cabinet, Cabinet Member and Committee reports, which have not been reserved for discussion.

6.30 - 7.00PM REFRESHMENT BREAK

Note: A refreshment break is scheduled for 6.30pm although this may alter slightly depending on how the meeting is proceeding and the view of the Mayor.

68. MEMBERS ALLOWANCES

73 - 102

Report of the Director of Strategy & Governance together with a Report of the Independent Remuneration Panel (copy attached).

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 29-1006

69. ANNUAL INVESTMENT STRATEGY

103 - 118

Report of the Director of Finance & Resources (copy attached).

Contact Officer: Peter Sargent
Ward Affected: All Wards

Tel: 29-1241

70. MATTERS EXEMPT FROM CALL-IN

119 - 120

Report of the Director of Strategy & Governance (copy attached).

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 29-1006

71. NOTICES OF MOTION.

121 - 136

- (a) Automatic Rate Relief for Small Businesses
- (b) Fuel Poverty and Excess Winter Deaths
- (c) Reopen the Wealden Line
- (d) Millicent Fawcett and the Fawcett Charter
- (e) Keep Royal Mail Public
- (f) Accept £9m for Local Schools

COUNCIL

- (g) South Downs National Park
- (h) Housing and Homelessness Services for Young Lesbian, Gay, Bisexual and Trans People in Brighton and Hove

Part Two

72. PART TWO MINUTES - EXEMPT CATEGORIES 4 & 5

To approve as a correct record the minutes of the Ordinary Council meeting held on the 29 January 2009 (circulated to Members only).

73. PART TWO ITEMS

To consider whether or not the above item and the decision thereon should remain exempt from disclosure to the press and public.

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 29-1006

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

COUNCIL

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

Date of Publication - Wednesday, 11 March 2009

A handwritten signature in black ink, appearing to read 'Alex Bailey', with a long horizontal flourish extending to the right.

Acting Chief Executive

King's House
Grand Avenue
Hove
BN3 2LS

BRIGHTON & HOVE CITY COUNCIL**COUNCIL****4.30pm 29 JANUARY 2009****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Peltzer Dunn (Chairman), C Theobald (Deputy Chairman), Alford, Allen, Barnett, Bennett, Mrs Brown, Carden, Caulfield, Mrs Cobb, Davey, Davis, Drake, Duncan, Elgood, Fallon-Khan, Fryer, Hamilton, Harmer-Strange, Hawkes, Hyde, Janio, Kemble, Kennedy, Kitcat, Lainchbury, Lepper, Marsh, McCaffery, Meadows, Mears, Mitchell, Morgan, Mrs Norman, K Norman, Older, Oxley, Pidgeon, Randall, Rufus, Simpson, Simson, Smart, Smith, Steedman, G Theobald, Turton, Wakefield-Jarrett, Watkins, Wells, West, Wrighton and Young.

PART ONE**43. STATUTORY OR VOLUNTARY DISCLOSURE BY COUNCILLORS OF INTERESTS IN MATTERS APPEARING ON THE AGENDA.**

- 43.1 Councillor Theobald referred to Item 52(b) and stated that he had been appointed by the Secretary of State to a quango and as such wished to declare a personal but non-prejudicial interest in the matter.
- 43.2 Councillor Mears referred to item 52(d) and stated that she had a personal but non-prejudicial interest.
- 43.3 Councillor Janio referred to item 52(b) and stated that as a member of the South east Regional Flood Defence Committee he had a personal but non-prejudicial interest in the matter.

44. TO APPROVE AS A CORRECT RECORD THE MINUTES OF (A) THE SPECIAL COUNCIL AND (B) THE ORDINARY COUNCIL MEETINGS HELD ON 4TH DECEMBER 2008 (COPIES ATTACHED).

- 44.1 The minutes of (a) the Special Meeting and (b) the last ordinary meeting held on the 4th December 2008 were approved as a correct record of the proceedings.

45. MAYOR'S COMMUNICATIONS.

- 45.1 The Mayor stated that he took little pleasure in having to speak on the following matter given the manner in which it had come to light and had felt that the action was indefensible and had impacted on an individual's privacy. However, he wished to offer his thanks and appreciation for the support and unwavering service that the Chief Executive has given to both the council and to him personally. The Chief Executive epitomised the type of officer that any excellent local authority would want to have. He had been able to rise to the top of the organisation and had achieved a great deal, bringing a level of humour and humanity to the role of Chief Executive which was rare indeed. He hoped that the Chief Executive was as successful in whatever role he chose for his future career path and that the council would join him in offering its best wishes to the Chief Executive.
- 45.2 Councillor Mears stated that she wished to disassociate the Conservative Group from the recent media coverage and to thank the Chief Executive on behalf of the Administration for all the help and support he had given, which had proved to be invaluable. She also wished to offer her personal thanks to the Chief Executive and to say that she hoped he would fulfil a long-term ambition of playing the banjo at a fringe festival, and that she would be there to see it.
- 45.3 Councillor Mitchell stated that she wished to thank the Chief Executive on behalf of the Labour Group for his service to the council and the city and to express the Group's deep sadness at his untimely departure. She echoed the comments of other city leaders and thanked the Chief Executive for his sound advice and integrity over the years and wished him well in his future endeavours.
- 45.4 Councillor Randall stated that he wished to offer the thanks and appreciation of the Green Group to the Chief Executive. He especially noted the knowledge and passion that the Chief Executive held for the city which had been reflected in many projects plans that had been taken forward and had enabled aspects such as the sports forum to come to fruition and highlight the needs of sport within the city. He had always been helpful and even handed in dealing with the minority groups on the council and would be missed.
- 45.5 Councillor Elgood stated that he wished to add the Liberal Democrat's thanks and appreciation for the work and leadership shown by the Chief Executive, who always had the city's interest at heart. His friendly advice and courtesy had helped to define the city for what it was today.
- 45.6 The Mayor thanked the respective Group Leaders for their comments and asked that the council's good wished be passed onto Green Group's Convenor, Councillor Taylor, who was recovering from a recent operation. He then asked the Chief Executive if he wished to address the council.
- 45.7 The Chief Executive thanked the council for its support over the years and the comments that had been made. He stated that it had been a privilege and an honour to serve the council and the city.

45.8 The Mayor then informed the council that he had agreed to take an urgent report regarding the appointment of an Acting Chief Executive, which he proposed to take as item 45A on the agenda.

45.9 The Mayor then invited Councillor Cobb to come forward and receive a Green Apple gold award for environmental best practice for the Young Environmentalist of the Year Scheme, run by the council's Sustainability Team.

45(A). APPOINTMENT OF ACTING CHIEF EXECUTIVE AND HEAD OF PAID SERVICE

45.10 The Mayor noted that the report of the Chief Executive had been circulated and was considered to be a matter of urgency in view of the early retirement of the Chief Executive approved by the Governance Committee at its meeting on the 13 January and the need to avoid a gap pending the appointment of a new Chief Executive.

45.11 Councillor Randall stated that the Green Group fully supported the proposed appointment of the Acting Chief Executive; however he wished to move an amendment to recommendation 2.3 of the report, so that the appointment was made on the existing salary of the Director of Strategy & Governance. He believed that in having regard to the current economic climate and possible redundancies faced by council employees it would not be appropriate to appoint the Acting Chief Executive within the existing salary scale for the post of Chief Executive.

45.12 Councillor Kennedy formerly seconded the proposal.

45.13 Councillor Mears stated that she understood the sentiment behind the proposal, but felt that the Acting Chief Executive would be performing the role of Chief Executive and as such this should be reflected in the level of remuneration given to the post holder.

45.14 The Mayor noted that an amendment had been moved and put the amendment to the vote which was lost.

45.15 The Mayor then put the recommendations as listed in the report to the vote which were carried.

45.16 RESOLVED -

- (1) That Mr Alex Bailey be appointed as Acting Chief Executive and Head of Paid Service pending the appointment of a permanent Chief Executive;
- (2) That the proposed Acting arrangements regarding the roles of Director of Strategy & Governance and Monitoring Officer be noted; and
- (3) That the Acting Assistant Director of Human Resources, after consultation with the Leader of the Council, and the Leaders/Convenor of the other Groups, be authorised to agree the terms and conditions of employment of the Acting Chief Executive within the existing salary scale for the post of Chief Executive.

46. TO RECEIVE PETITIONS FROM MEMBERS.

- 46.1 The Mayor invited the submission of petitions from councillors. He reminded the council that petitions would be referred to the appropriate decision-making body without debate and the councillor presenting the petition would be invited to attend the meeting to which the petition was referred.
- 46.2 Councillor Kemble presented a petition signed by 109 residents concerning the right of way at Hove Lagoon.
- 46.3 Councillor Davis presented a petition signed by 372 residents concerning the speed restrictions, 'Twenty is Plenty' for the east end of Goldsmid Ward.
- 46.4 Councillor Davis presented a petition signed by 20 residents concerning the proposed Park House development.
- 46.5 Councillor Davis presented a petition signed by 29 residents concerning parking in Shirley Street.
- 46.6 Councillor Davis presented a petition signed by 50 residents concerning libraries.
- 46.7 Councillor Hamilton presented a petition signed by 72 residents concerning libraries.
- 46.8 Councillor Fryer presented a petition signed by over a 1,000 residents concerning the Turner and Eastern Road Partnerships.
- 46.9 Councillor Mitchell presented a petition signed by 583 residents concerning the Eastern Road & Turner Area Partnerships.
- 46.10 Councillor Carden presented a petition signed by 56 residents concerning libraries.
- 46.11 Councillor McCaffery presented a petition signed by 77 residents concerning parking in Southdown Avenue.
- 46.12 Councillor McCaffery presented a petition signed by 30 residents concerning parking in Preston Park.
- 46.13 Councillor Davey presented a petition signed by 29 residents concerning visitors' bays in Stroudley Road.
- 46.14 Councillor Davey presented a petition on behalf of Councillor Taylor signed by 1,067 residents concerning the regeneration of London Road.
- 46.15 Councillor Allen presented a petition signed by 51 residents concerning IT provision in libraries.
- 46.16 Councillor Turton presented a petition signed by 85 residents concerning Whitehawk and Rottingdean Libraries.

- 46.17 Councillor Mrs Brown presented a petition signed by 130 residents concerning the proposed Park House development.
- 46.18 Councillor Hawkes presented a petition signed by 98 residents concerning the state of children's equipment in Bates Estate.
- 46.19 Councillor Elgood presented a petition signed by 200 residents concerning the recent changes in the network rail time-table.
- 46.20 Councillor Bennett presented a petition signed by 28 residents concerning parking restrictions in Bennett Avenue.
- 46.21 Councillor Bennett presented a petition signed by 28 residents concerning Hyde Flats.
- 46.22 Councillor Bennett presented a petition signed by 49 residents concerning library opening hours.
- 46.23 Councillor Wells presented a petition signed by 88 residents concerning libraries.
- 46.24 Councillor Barnett presented a petition signed by 1,104 residents concerning Hangleton Junior swimming pool.
- 46.25 Councillor Randall presented a petition on behalf of Councillor Taylor signed by 92 residents concerning libraries.

47. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

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

- 47.2 Mr. Hawtree asked the following question:

"With the emerging Library Plan in mind, could Councillor Smith please tell us what steps he will be taking to ensure that all teenage pupils in this authority's schools are introduced to the library service and encouraged to make full use of it?"

- 47.3 Councillor Smith stated that "All reception age school children (4-5 year olds) and all new year 7 intake, (11+ year olds) are being automatically joined up to the public library through our easy joining arrangements, and their membership cards sent out directly to their homes. Library staff are working closely with schools to encourage children and teenagers to read and use our libraries, through new projects, events and activities around reading and writing. For instance, a creative writing programme has begun in partnership with three local secondary schools, and we are planning new online book groups for teenagers. This will build on the existing reading group for 7-11 year olds called 'Chatterbooks' which meets fortnightly. Brainwaves, a study support group for teenagers is running in Jubilee Library, and a new 'Manga' Group has been set up in partnership with Varndean School for teenagers to draw graphic novel type stories. Libraries are also working in partnership with the Children & Young People's Trust, to

develop a City-wide Reading Strategy to encourage reading and improve literacy levels across the city.”

47.4 Mr Hawtree asked the following supplementary question:

“I am irresistibly reminded of John Lennon and his scriptures on local government. Perhaps you will remember, Councillor Smith, in December 1966 he discovered that there were 4,000 holes in Blackburn, Lancashire and, in fact, I think he would be shocked to find that the situation here is rather worse. In the Jubilee Library there are 256, I had to count them all the other day. These are the sockets for the wiring above shelves which are still non-existent. As it is if the city’s teenagers were all inspired by your various plans to borrow just one book, there would be no books left on the ground floor. At a time when the council has found other building work difficult to carry out, could we have these long expected shelves built and well filled so that teenagers and all other readers can explore books that in these times above all can make such a difference to the course of life?

In America recently with the recession the use of libraries has gone up considerably.”

47.5 Councillor Smith responded, “We do our best in the city under our resources and he knows it very well and I think any Member of this chamber does, that we do the best we can for the citizens of our city.”

47.6 The Mayor thanked Mr Hawtree for his questions and invited Ms Offer to come forward and address the council. The Mayor noted that Ms Offer was not present at the meeting and therefore a written response would be given by Councillor Theobald.

47.7 The Mayor then invited Mr Unwin to come forward and address the council. The Mayor noted that Mr Unwin was not present at the meeting and therefore a written response would be given by Councillor Theobald.

47.8 The Mayor then invited Mr Savvides to come forward and address the council.

47.9 Mr Savvides asked the following question:

“The area east of the railway bridge was a designated Air Quality Management Area. In 2007 when discussing this area, and the effect the dump would have on the air quality, council environment officers said that air quality would deteriorate as a result of the heavier traffic caused by the dump. In addition the council representatives suggested that they would consult the local population in order to find a solution to this problem. I would like to know what steps the council has taken to monitor the air quality in the residential areas around the dump, what happened to the consultation and what they propose to do to improve the air quality? I would also like to ask that if any monitoring of the facility is carried out can that be by an independent body, rather than Veolia, and that the results of this monitoring be made public?”

47.10 Councillor Theobald stated "Thank you for your question. The council is discussing with the Department for Environment, Food & Rural Affairs (Defra) the next steps for the monitoring arrangements for our Air Quality Management Area and Air Quality Action Plan. We have a local Air Quality Strategy that applies to the entire city and I would

recommend that residents look at our City Airwatch Website which has excellent up to date information on air quality across Brighton & Hove."

47.11 Mr Savvides asked the following supplementary question:

"I am also monitoring the quality of the air that is being filtered from the Waste Transfer Station because, as I understood it, the filters needed to be changed on a weekly basis in order to make sure that the air being driven out from there is safe for us to breathe in the locality."

47.12 Councillor Theobald responded "We are constantly monitoring air quality right the way across the city and regular inspections are made of what you term 'the dump' but what we refer to as the Waste Transfer Station and that has regular inspections to ensure that all is well."

47.13 The Mayor thanked Mr Savvides for his questions and invited Ms Deller to come forward and address the council. The Mayor noted that Ms Deller was not present at the meeting and therefore a written response would be given by Councillor Theobald.

48. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

48.1 The Mayor reported that two Deputations had been received and invited Ms Summers as the spokesperson for the first deputation to come forward and address the council.

48.2 Ms Summers thanked the Mayor and stated that:

"As you will know proposals by developers, St James's Investments, for London Road publicised in the summer of last year include a 3-storey Tesco Superstore incorporating a hundred thousand square foot of food and non-food retail space, a car park of at least 950 spaces and other retail, commercial and residential development. The developers' own consultation never asked the community whether or not they would like a Tesco store or car park.

Another London Road, a voluntary group of local residents and stakeholders, however, continually consult with the public using hand delivered leaflets, street stalls, one line feedback and comments on Facebook and to their email address and hosted a drop-in meeting in July last year, which alone attracted 150 people in just two hours. We ask what people like and dislike about London Road and what they want and don't want in the future. The vision that emerges is of a vibrant, diverse shopping street with interest and character, less traffic and more pedestrianisation and greenery, a thriving open market, arts and community facilities and a secure base for creative, local businesses. Many say that with its four existing supermarkets London Road does not need a fifth.

Another London Road has today, as you know, submitted a petition signed by 1,067 people. We can also report that our Facebook group has 536 members and our on-line mailing list has 270.

Most people agree that improvements to London Road are needed and it is easy to assume that the increase in shoppers coming to the area for the new store will benefit

existing shops and businesses but with this all in one model shoppers are effectively encouraged to drive to the store, do all their shopping under one roof, then drive straight home again and many local traders fear this is inevitable.

Statistically, since Tesco gets £1 in every £8 of all retail sales they are able to sell almost anything they choose. Those traders on London Road selling groceries, bread, meat, books, newspapers, DVDs, consumer electronics, mobile phones, clothing and at least 18 other goods or services within 500 metres of the proposed new store will see direct competition from this retail giant.

When a supermarket opens its competitors' shops close because they cannot compete on price and there is a net job loss, as has been the case in Hove following the 2003 Tesco superstore opening. The importance of small shops to local jobs is reinforced by the council's very own high profile 'buy local' campaign which stresses how local shops and producers are a vital part of Brighton & Hove's local economy and its unique character and diversity.

St James's Investments' proposals are in direct conflict with the council's London Road Central Masterplan. Their plans would involve demolishing New England House with no clear provision for those small businesses currently occupying it. The new car park is clearly aimed to encourage more people to drive to the London Road and can only serve to worsen congestion and air quality and no amount of flow improvement can hide that. Furthermore, the council's retail study 2006 recommends that, and I quote, 'proposed development should be of a scale appropriate to the function of the town centre'.

We have got three requests please to put to the council.

Firstly, we ask Councillors to recognise that there is considerable feeling against the current St James's Investments' proposal and to acknowledge the validity of and support for an improved London Road which does not include a new supermarket or car park.

Secondly, we call on the council to accept the evidence that a new supermarket in London Road is highly likely to result in a net job loss and bring about the closure of existing small shops which the council is so keen to support. We have also asked for acknowledgement that it puts the historic open market very much at risk.

Thirdly and finally, we ask that Another London Road be recognised as a group generally representing a significant proportion of the community and therefore consulted and kept informed on any matter affecting the development of the area."

- 48.3 Councillor Kemble stated that "Brighton & Hove City Council has indeed written up and has consulted widely on a Supplementary Planning Document for the London Road Central area. This document will set out the council's planning policy for the area but council has been made aware by St James's Investments that they will not be submitting any proposals for the area until the Supplementary Planning Document has been published and adopted.

All proposals that come forward from whatever source for any development within the area will be assessed against the prevailing planning framework.

The draft Supplementary Planning Document is currently being finalised in response to the information received from the consultations and conducted as part of the process for preparing the document. The draft SPD will be published for public consultation in spring 2009. Could I ask you to ensure that your organisation takes a full and active part in the consultation when it is released. I am sure you can appreciate that I can't comment on any potential planning application."

- 48.4 The Mayor thanked Ms Summers for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and deputation would now be referred to the Enterprise, Employment & Major Projects Cabinet Member Meeting for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 48.5 The Mayor then invited Dr Barker as the spokesperson for the second deputation to come forward and address the council.
- 48.6 Dr Barker thanked the Mayor and stated:

"From HydeMartlet's *Statement of Community Engagement* you may think local residents are largely in favour of this scheme. The fact that more than fifty firm and considered objections, many more signatures, have been received by the council shows just how far local feeling has been misrepresented in this matter. Local people have the strongest objections to these plans and will not acquiesce in them as they stand.

72 units are far too many – socially and environmentally – for both current and for prospective residents. We have all seen the plans, we all know the area. This is an unprecedented density of occupation and an unprecedentedly large building. All our objections spring from this point.

I refer Councillors to written objections on the inability of the local infrastructure to support so large a scheme. Shops are not easily accessible – especially with pushchairs, let alone by disabled people; public transport is not readily amenable; surgeries are full. This is a suburban area, not a city centre. To provide only 24 parking-spaces is either naïve or cynical. There will inevitably be greatly increased pressure on local parking both north and south of the A270, especially given the displacement of an extra 16 spaces on Hove Park Gardens. The traffic-lights at the crossroads – backed up to Hove Park Villas in the rush hour – will be even more hard-pressed to cope with an increase in service vehicles, inevitable delivery lorries and taxis, without any extra car-traffic, let alone the dream of 100 bicycles. How many more accidents must there be?

72 units on this site mean a building which is too large as seen from the outside and too small as lived in on the inside. The plan is for poky units with poky outdoor spaces – balconies and terraces which open straight onto the main road. Read HydeMartlet's own noise survey if you think these could be usable. Residents do not sit out in front gardens opposite.

72 units entail a vast visual impact on the area. At five storeys the building would overlook and dominate all the neighbouring properties – even flats. It would be as high as most established nearby trees – those, at least, that HydeMartlet doesn't propose felling – and a storey and a half higher than tall private houses. It would reach unacceptably close to the pavement. At present the established tree-line makes a continuous sweep from Hove Park to the Recreation Ground. HydeMartlet proposes replacing what is essentially a continuation of the suburban parkscape with a lowering and unrelieved urban façade hardly screened by the miniature elms it proposes to squeeze uneasily between the building and the pavement.

72 units, finally, means that the Edwardian Park House itself must be destroyed and we wonder why. Many similar period properties have been refurbished in the area. This one, surrounded by established palms, is not only attractive but architecturally in keeping with the area. It would convert readily into desirable flats.

But this bloated scheme – pushed aggressively in the face of local opinion – has regard to nothing except the number of units that it can pack onto the Park House site. The concerns of residents, neighbours, visitors and passers through have been treated as afterthoughts. Concessions have been both laughable and cynical. This is not an appropriate use of this attractive and important site. On behalf of more than 50 local households, I urge Councillors to reject this application.”

- 48.7 Councillor Theobald stated that “I do have to say to you, as I expect you already know, the application has been submitted and is being assessed by officers and the decision on this application will be made by Members of the Planning Committee. The comments that you have made and indeed there have been two petitions I think, if not three, presented to the Mayor this afternoon and all these will be taken into consideration and assessed before any decision is made. As I expect you know one resident is able to come along and talk for, I think it is three minutes, to the Planning Committee to express your views.

You may rest assured that your comments will be taken into account by officers when they come to a decision as to what to recommend the Planning Committee to do and then it is a matter for the individual Members of the Planning Committee to vote.”

- 48.8 The Mayor thanked Dr Barker for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and deputation would now be referred to the Planning Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

49. WRITTEN QUESTIONS FROM COUNCILLORS.

- 49.1 The Mayor reminded the council that councillors' questions and the replies from the appropriate councillor were now taken as read by reference to the list included in the addendum, which had been circulated as detailed below:

49.2 (a) Councillor Wrighton asked:

“With increasing moves towards an online planning applications system could the Planning Committee Chairman confirm that the current service, which makes publicly available a hard copy of each planning application in the Town Hall reception, will continue in parallel?”

49.3 Councillor Hyde replied:

“The council is aware that whilst an increasing number of applications are made online and all applications are electronically scanned and available to view on the website, there is still significant demand from customers to view applications in hard copy. In these circumstances, the current service, which makes available a paper copy of each planning application for public inspection at the City Direct office at Hove Town Hall, will continue for the foreseeable future.”

49.4 Councillor Wrighton asked a supplementary question, “Would the Planning Committee Chairman commit to keeping all Members informed of any proposed changes to the availability of plans?”

49.5 Councillor Hyde replied, “Yes, I am prepared to inform all Members regarding changes.”

49.6 (b) Councillor McCaffery asked:

“This Authority has an excellent Children's Service and apparently better than many others. However in the wake of the tragic case of Baby P in Haringey, would the Leader of the Council please inform this Council that the safety afforded to our vulnerable children will not be compromised by pressure on the budgets for those services?”

49.7 Councillor Mrs Brown replied:

“In securing its savings targets for 2009/10 the general approach has been to minimise any significant impact on front-line delivery of services to children and young people. There has also been a focus on the importance of targeting resources on vulnerable children and young people.

The overall approach to 2009/10 represents the first stage of a three year budget strategy. The CYPT is two years old and the budget strategy will align with the development of the Trust at the next stage and be reflected in the new Children and Young People's Plan.

The main elements of the strategy include:

- An overall reduction in management costs
- Review of the area model for delivery
- Review and rationalisation of accommodation
- Reduction in Independent Fostering Agency placements
- Ensuring value for money

In addition consideration has been given to the identification of expenditure which is not linked to meeting the needs of vulnerable children.

The CYPT has implemented a stock take of the effectiveness of its safeguarding practice. Outline findings and proposals for future action have been shared with the CYPT Board and regular updates are planned.

Although there is much to be proud of in relation to Children's Services in Brighton and Hove the CYPT is not complacent and following events in Haringey and elsewhere there is a recognition of the need to ensure effective provision for vulnerable children and families.

Increase in activity and referrals arising from the Baby P case are being monitored and a new recruitment and retention strategy for social workers is in hand."

- 49.8 Councillor McCaffery asked a supplementary question, "I am, as you will know, very pleased to note the focus on resources for vulnerable children. However, I have some concerns over a number of elements in the strategy but in relation to safeguarding there is evidence locally, as well as nationally, that our mental health services are insufficient to meet the demand from young people, children and their families.

What measures are in place to remedy this situation?"

- 49.9 Councillor Mrs Brown replied, "Our care services are rated highly in this city and we do believe our systems are robust but, of course, we are not complacent. We do have a very good record for child protection work. In 2006 we were only judged to be adequate but in the last two years, 2007 and 2008, we were judged to be good."

- 49.10 (c) Councillor McCaffery asked:

"The new constitution has established an Inclusion Partnership for the City, primarily composed of the statutory bodies. This I fully support. However in what Forum can representatives of minority groups place their concerns over employment or service delivery before the Council, and how are elected councillors informed as to whether our Council's equalities policies are being carried out efficiently and effectively?"

- 49.11 Councillor Simson replied:

"The council has a number of ways members of the public and members can express their concerns over matters including employment or service delivery. This can be done via individual members, letters or questions to a committee or Cabinet meeting. The Overview and Scrutiny Commission specifically has within its remit the overview of the Council's Equalities and Inclusion activities. Additionally, where there are areas of significant community interest the council has forums to ensure consultation across major policy and service considerations – for example Community Safety, Housing Strategy and tenant engagement. Specific arrangements also exist for equalities within the Racial Harassment Forum and the disabilities and gender equalities scheme groups."

49.12 Councillor McCaffery asked a supplementary question, “Unfortunately, I don’t think letters or questions to committees are sufficient for minority communities to voice their concerns. As everybody knows it is actually quite nerve-racking to do that.

I note the Overview & Scrutiny Commission has within its remit the overview of the council’s equalities and inclusion policies. Would the Councillor inform me how many equality impact assessments have been or will be reported to OSC this financial year?”

49.13 Councillor Simson replied, “Unfortunately I cannot give you that level of detail here at this meeting today but I will certainly ensure that you get it.”

49.14 **(d)** Councillor Hamilton asked:

"In the constitution, part 3, I refer to Rule 7: Order of Business at Meetings of the Council. This states under item (n): To receive and consider the reports and recommendations of the Cabinet and/or Cabinet Members. Why is this not happening?"

49.15 Councillor Ann Norman replied:

“Councillor Hamilton is right in saying that Council Procedure Rule 7.1.(n) refers to receiving and considering reports and recommendations of the Cabinet and/or Cabinet members. However, this does not require ALL reports or recommendations going to the Cabinet and Cabinet Member Meetings to be referred to Council. This rule anticipates cases where Cabinet reports and recommendations need to come to Council. By way of example, such cases include:

- Decisions that are reserved to Full Council because they involve approving the budget or the policy framework, or the proposed decision is otherwise outside the budget and policy framework. An example of this is the item on today’s agenda regarding equal pay.
- Cases where a Notice of Motion is referred to the Cabinet or CMM and the decision needs to be reported to Council for information. An example of this is item 54(a) on today’s agenda which reports to Council for information the decision of the Environment CMM on Green Spaces and Inequality.

The practice of the Council so far has therefore been entirely consistent with the requirements of the Constitution.”

49.16 Councillor Hamilton asked a supplementary question, “Do you agree that Councillors should be better informed about decisions taken at Cabinet and Cabinet Member Meetings?”

49.17 Councillor Ann Norman replied, “Item 50 on today’s agenda reads: Reports of the Cabinet, Cabinet Member Meetings and Committees and items may be referred in the same way as under the previous committee system. It is up to Members to ask for items to be referred.”

49.18 (e) Councillor Kitcat asked:

“Could Cllr Theobald provide details on any consultation held with emergency services over the type and location of communal bins being introduced to Regency Ward? In particular were individual bin locations discussed, particularly with regard to ensuring safe access and preventing fire hazards?”

49.19 Councillor Theobald replied:

“The City Council would not usually consult the emergency services for placing objects, or indeed determining the locations for cars to park, on the public highway, unless they form part of a safety scheme or traffic calming proposal.

The specific locations of the communal bins to which you refer have been determined with Highways and Traffic engineers who fully consider road safety issues as well as access for emergency services and delivery vehicles, on this basis we have not asked the ambulance service, the fire or police authorities also to view the location of each bin.

I am pleased to mention our strong and positive links with the East Sussex Fire Authority. Cllr Ted Kemble as the Vice Chairman of the Authority discussed the communal bin scheme with the Chief Fire Officer sometime ago and they are satisfied that they do not pose an additional fire risk.”

49.20 Councillor Kitcat asked a supplementary question, “I have to say I am quite concerned by Councillor Theobald’s response.

My colleague, Councillor Rufus, yesterday met with the Borough Fire Commander who categorically stated that he had not been consulted on the communal bin scheme. I wonder if Councillor Theobald will commit to providing all new types of communal bins to East Sussex Fire Authority for testing, because it has not yet been done, and whether he will work with the Fire Service on the implications of these bins being so close to cars which could result in a major fire and is of concern to the Borough Commander?”

49.21 Councillor Theobald replied. “The answer quite simply is no, Mr Mayor. To actually send to East Sussex Fire Brigade and ask them to look at every single bin and the location in every single road, I think makes an absolute nonsense. The answer is explained very carefully here in these three paragraphs and I invite you to re-read them Councillor Kitcat.”

49.22 (f) Councillor Harmer-Strange asked:

“Can the Cabinet Member for Enterprise, Employment & Major Projects explain what change was there in the footfall figures in city centre over the Christmas period, and what does he believe is responsible for the change?”

49.23 Councillor Kemble replied:

“During the Christmas period footfall measures in the City as produced by Experian and published by the Business Forum showed a significant increase. In the week of Christmas, city centre footfall was up almost 10% on last year. And across the four week period we had almost 70,000 more visitors in the city centre compared to the same time last year.

Feedback from traders and business associations generally confirmed positive volumes of visitors and shoppers. There will be a number of reasons why this footfall has increased. I am convinced that the suspension of major road works made a very positive contribution to this increase. In the same period, we launched a ‘Buy-Local’ campaign promoting the benefits of spending locally.

Much credit should also go to the retailers themselves. The quality of window displays, support for the Business Improvement District and the Christmas Lights and festive events including Santa’s grotto were all of a very high quality. These joint efforts among the business community and the Council are, I believe, a major reason why footfall in 2008 grew.”

- 49.24 Councillor Mitchell asked a supplementary question, “Would Councillor Kemble, as a previous Member of the old Environment Committee that set yearly roadworks plans in conjunction with the utility companies, agree with me that the yearly programmes specifically organised roadworks in the city to avoid Bank Holidays, special events and the Christmas shopping period as set out in this committee report from 2005 and his claims that this happened for the first time under a Conservative Administration have been at best erroneous and at worst misleading to the public?”
- 49.25 Councillor Kemble replied, “Yes, I am fully aware that as a Member of the Environment Committee I was party to the agreements around the roadworks. However, as far as I understand, having spoken to officers, last Christmas was the first time that roadworks were specifically suspended at the request of the Administration.”
- 49.26 **(g)** Councillor Barnett asked:
- “Can the Cabinet Member for Housing tell me what services or advice is available from the council to residents who are struggling with mortgage repayments?”
- 49.27 Councillor Caulfield replied:

A number of measures are proposed locally to address the housing situation brought on by the economic downturn:

- 1. Mortgage Rescue**
- 2. Awareness Raising**
- 3. Repossession prevention through Housing Options work**

- 1. Mortgage Rescue scheme (MRS).** This will involve joint working between the Council, Moat Housing Association and Brighton Housing Trust debt advice services to provide a buy and rent back scheme and a shared equity scheme involving significant amounts of capital.

Objectives

- To prevent homelessness by avoiding mortgage repossessions wherever possible
- To help people remain in home ownership where it is sustainable and affordable for them to do so
- To make mortgage repossession an option of last resort
- To promote community sustainability during a period of economic difficulty

We are not seeking to:

- Support bad lending and borrowing practices
- Reduce people's financial outgoings on accommodation, allowing them to spend elsewhere
- Expose applicants or the local authority to risk
- Assist households who can make their mortgage repayments
- Rescue second homes
- Stop repossessions completely at any cost

Estimated Benefits over two years

- Preventing homelessness, and its attendant disruption and dislocation, for around 30 priority need households
- A saving to the council on the costs of responding to homelessness and the provision of temporary accommodation
- A saving on the wider social costs of repossession: Loss of employment, physical and mental health deterioration, stigma of court (and costs), dependency (for formerly working households), loss of local family/kin networks (exclusion), impacts on education (school attendance and achievement).

- 2. Raising Awareness of homeowners.** It is vitally important to raise homeowners' awareness of all of the options open to them if they think they are at risk of repossession. 50% of those facing repossession do not attend court. Therefore increasing the number of households that attend repossession hearings could make a significant impact on the number of repossessions.

It is proposed to do this via a communications campaign devised and led by the Corporate Communications Team. It is envisaged that this could include:

- Holding local promotional events
- An advertising campaign including information leaflets and posters in key locations
- An information pack for homeowners in mortgage difficulties, containing advice, a copy of FAQs and useful telephone numbers

- 3. Repossession prevention through Housing Options Work.** A MRS will not provide a solution for every homeowner at risk of mortgage repossession. In all cases, Housing Options will need to consider carefully the full range of options available to homeowners faced with repossession; MR is just one option of many. It is therefore important that the council continue to focus on its successful homeless

prevention approach seeking all options to prevent repossession rather than solely relying on MRS. Some of the other options to explore with homeowners in mortgage difficulty are listed below:

Local Authority Options

- Use of Homeless Prevention fund
- Part VI offer of accommodation
- Part VII homeless application

Homeowner Own Options

- Rent a Room
- Downsize

Government Options

- Income Support for Mortgage Interest

Lender Options

- Reduce monthly payments for a period
- Capitalise payments
- Cut the charges made
- Extend the length of loan
- Spread the payment of the total amount owed
- Offer a better loan rate
- Allow time to sell home (if that is preferred by homeowner)

Other options

- Private Sale and Rent Back
- RSL rescue from capital receipts.”

49.28 Councillor Barnett asked a supplementary question,

“Does the Cabinet Member agree that her answer demonstrates that the council is doing a huge amount of really good, unseen work that doesn’t get much publicity to help people through the recession, in addition to the extra measures it has announced in the last six months?”

49.29 Councillor Caulfield replied,

49.30 “Yes I do agree: we are doing a huge amount of work to help residents in Brighton and Hove in these difficult financial times and I do agree that we need to make more publicity of what we are doing. I know the staff in the Housing Strategy Team will be meeting with the Communications Team in the next few weeks to raise our profile of what we are doing, because it is vitally important that we keep people in their homes and not have to look for further accommodation for them because prevention is the best method.

If you look at the court desk at Brighton Court, we are able to help 85% of people who come to that court desk prevent repossession, so I think that’s an amazing figure and we do need to publicise that more. What we also need to do is lobby government

though, because the Mortgage Rescue Scheme that they are currently proposing does exclude many of our residents in Brighton and Hove because there is a cap on property values over £225,000 which will affect a lot of our residents and also single people and couples that don't have children are also excluded. We need to make it clear who is eligible and how we can help them."

49.31 Councillor Meadows asked a further supplementary question, "Would the Cabinet Member support the help offered by the Labour Government in order to prevent repossession of homes for those that are able to be prevented, in the form of free legal advice and help with mortgage interest payments?"

49.32 Councillor Caulfield replied, "The Government are doing a lot of work, I will give them that but they are not actually helping some of the residents in this city which is my main concern.

As I said if you look at the criteria they are very strict and it does apply to families, it does apply to older people, many of whom have paid off their mortgages. The key people that are at risk are those in houses which the Government say are expensive but actually £225,000 isn't an expensive house in Brighton and Hove. It's probably the average house price for many families and to exclude those from the Mortgage Rescue Scheme I think is not very helpful and it's very particular about which residents in this country it wants to help.

I do agree that they are doing some work but it's not enough for the residents of Brighton and Hove."

49.33 (h) Councillor Pidgeon asked:

"Will the Cabinet Member for Housing give an update on how the council's new adapted property list has helped the council improve services for people with physical disabilities?"

49.34 Councillor Caulfield replied:

As a direct result of consultation with the Allocations Review Group, an Accessible Housing Officer (AHO) was recruited in January of last year. Her remit is to improve the way in which Accessible and Adapted properties are advertised and let in the city. This is being achieved in three ways; by improving our understanding of the access needs of everybody on the Joint Housing Register; by undertaking an audit of all Council-owned housing stock in terms of their accessibility and feasibility for adaptation; and by providing a more equal service for Disabled applicants within Homemove through more informative advertising and prioritised allocation for mobility properties.

Assessment:

Since January, all new applicants as well as existing applicants in Bands A and B have been assessed for their mobility level and given one of four categories relating to their access requirements.

Advertising and Allocation:

The Accessible Housing Officer has spent a great deal of time working with Housing and Lettings Officers within the Council and the partner Housing Associations to ensure that relevant information and appropriate mobility categories are identified in the advert.

Training:

Accessible Housing training was undertaken for representatives of our Homemove partners and the feedback was excellent. We have now rolled out this training to all Housing Management staff within the Council

Adaptations:

With the success of the work that we're doing in the identification and allocation of properties that are either pre-adapted or would lend themselves to further adaptation, BHCC can look to utilising this knowledge to make better use of its limited adaptations budget.

49.35 Councillor Randall asked a supplementary question, "Has the council followed the example of other authorities who include private sector adapted premises in their lists?"

49.36 Councillor Caulfield replied, "As you know when we came into Administration we took on an adaptations waiting list where some of our residents are waiting for over four years, which is clearly not acceptable. We have made some quick improvements with our list of council housing properties and our registered social landlord properties, so we know which properties are adapted. We have also assessed those people who are on housing registers so we have an accurate assessment of their mobility needs and their adaptations needs.

I do take your point Councillor Randall that it is a good idea. We are looking more fully at our adaptations process as well because we want to tackle that four year waiting list. At the moment when you are assessed you are just put on a time waiting list, there is no reassessment in case your medical need changes, so we will be doing a lot of work and also looking at our contract with installations to improve and speed up that process.

I will take your points on board and will bring them back to a further HMCC meeting."

49.37 (i) Councillor Oxley asked:

"Would the Leader of the Council make a statement on partnership working in the city?"

49.38 Councillor Mears replied:

"Effective and focussed joint working with our key strategic partners in the City such as the Police, the PCT and the voluntary sector is vital if we are to deliver on our commitments to residents that are laid out in the Corporate Plan. This will become increasingly important in the coming years as we move towards Comprehensive Area

Assessment, greater personalisation of public services and greater financial constraints on councils and other public bodies.”

- 49.39 Councillor Oxley asked a supplementary question, “I am grateful to the Leader of the Council for her reply to me. Could she say in the light of that how she sees the council and its partners meeting the future challenges which she actually outlined in her first answer?”
- 49.40 Councillor Mears replied, “I believe there are three principles which should guide our work with partners. All partnership working should be able to demonstrate added value and cost effectiveness to residents. Partnership working is most effective when focused on voluntary associations between organisations who share specific and defined goals and should be seen as a means to an end, rather than an end in itself.

Since partnerships are institutions exercising public powers, using public resources and providing public services they need to be transparently accountable to all of those on whose behalf they act. On this point I am very keen to make sure that the balance of all our partnerships that the council is involved with is in the best interests of our residents.

As a democratically accountable body with a legally entwined community leadership role we have a duty to ensure we are responding effectively to their needs. A review of partnership activity in Brighton and Hove was undertaken back in 2004 and this work was the basis for the current structure with the Local Strategic Partnership, Public Service Board and their various sub-groups. However, this was nearly five years ago now in which time the administration of the council has changed. In addition, as I said in my answer to the initial question, the environment of delivering public services is rapidly evolving. Therefore I believe the time is right for us to re-examine the effectiveness of the current arrangements.

The current process of review of sustainable community strategy gives us an excellent opportunity to take stock of the partnership arrangements in this city to make sure they are delivering value for money for the residents of Brighton and Hove. I know the Chair of the Local Strategic Partnership shares this view and I will therefore be talking to him in the coming weeks about how we can best take this work forward.”

- 49.41 (j) Councillor Alford asked:

“Can the Cabinet Member for Finance explain how business rates are set, and where the money collected from local businesses goes?”

- 49.42 Councillor Young replied:

“Business rates are a national tax set by Government. Businesses pay an amount equal to the rateable value of the property they occupy multiplied by the national rate poundage. The rate poundage is set every year by the government, usually in late November / early December. The law prevents the government from increasing it by more than the increase in the rate of inflation in the 12 months to September that year. The rate of inflation used is the Retail Price Index (RPI) and the government has applied the full increase in the September RPI of 5% to the rate poundage for 2009/10.

For most businesses the rate poundage will be 48.5p next year and they will pay 5% more in business rates from 1 April 2009.

Local councils collect business rates and pay them to the Government. Councils then receive payments from the Government as part of their annual formula grant settlement. There is no relationship between the amount any council pays into the pool and the amount it receives from the pool."

49.43 Councillor Hamilton asked a supplementary question, "Every year since 1997 this council has received a larger share of the redistributed business rates pool than city businesses have contributed to the pool, the figure this year being nearly £3¾M.

Do you accept that the current system of business rates works to the benefit of this council?"

49.44 Councillor Young replied, "The answer actually is 'no', as the business rate forms part of a grant, it is not the whole. I will give you an answer in response to the rest of the question."

49.45 (k) Councillor Kitcat asked:

"Can Cllr Theobald provide any details on any plans for communal collection of recycling in the city centre? If so when does he expect these plans to be implemented?"

49.46 Councillor Theobald replied:

"There are no plans to implement communal recycling in the city centre. We are looking at a range of options to improve recycling rates and these will be set out in the waste strategy. The first draft of this will be brought to Cabinet in April this year with the intention that residents are consulted on its proposals."

49.47 Councillor Kitcat asked a supplementary question, "I am very disappointed by Councillor Theobald's response in many ways, firstly the lack of ambition with regards to recycling. With regards to my supplementary, why given that the waste strategy was first promised in 2007 has it been delayed so much that we now have to wait until April 2009 to see sight of it? Councillor Theobald why has it taken so long and can Members be consulted before it is brought to Cabinet in April?"

49.48 Councillor Theobald replied, "The reason quite frankly, Councillor Kitcat, is that I have been very, very busy, you know extremely busy. We have had a complete change, and you might not have known this but saving the council taxpayers a million pounds a year by changing our rounds and changing our communal bins that took precedence.

If you read my answer, and you don't seem to read my answers, I can tell you now this will be set out in the waste strategy; the first draft will be brought to the Cabinet in April. I am telling you that, Councillor Kitcat, so why you can't seem to read I don't understand. I also say that residents will be consulted on the proposals, as you will be."

49.49 Councillor Fryer asked a further supplementary question, "I am glad to see there are plans to improve recycling rates but I don't quite see how that correlates with plans to implement communal recycling.

My question is particularly on the St James's Street area. I don't know if Councillor Theobald is aware, but many residents of St James's Street don't live somewhere where they can have doorstep recycling collections and there is a woeful lack of recycling bins in that area, so basically it's not possible for residents of St James's Street to recycle unless they walk about half a mile, which I think most of us realistically know people will not do. My question is will he be able to investigate that as a possibility to bring forward?"

49.50 Councillor Theobald replied, "We are quite prepared to take on board all suggestions that are made. I would ask Members at times instead of asking me questions at Council meetings here to actually contact officers, to put your feelings across, you will then get your answers, rather than keep coming to me at Council meetings to get answers here."

49.51 **(I)** Councillor Carden asked:

"May the Chair of Planning, Cllr Linda Hyde please confirm whether the council will be hiring external consultants to handle the forthcoming appeal on the Marina Development?"

49.52 Councillor Hyde replied:

"No such appeal has been lodged with the council and therefore no consultants have been hired."

49.53 Councillor Carden asked a supplementary question, "Could you tell me please, if an appeal goes ahead on the Marina application how the council would be prepared to defend the decision that their officers recommended approval for?"

49.54 Councillor Hyde replied, "As you are aware, Councillor Carden, we don't always agree with the officers recommendation but, of course, we pay great heed to them. It is part of the democratic process and we were, in fact, all elected to represent the public and that is what happened in this particular instance. It is not a unique situation it has arisen here before in this authority, and they will appeal again no doubt, and it also happens in other authorities. We are mindful that we have to represent the views, we turned down the application for good planning reasons."

49.55 **(m)** Councillor Lepper asked:

"Could the Cabinet Member for Major Projects estimate the loss of potential investment for the council from underdeveloped spaces and empty buildings across Brighton and Hove?"

49.56 Councillor Kemble replied:

“It is unclear from the framing of the question as to what precisely is meant by underdeveloped spaces and empty buildings across Brighton & Hove. Is this enquiry restricted to the council’s major and capital projects sites and its own commercial property portfolio, or is it completely open-ended?”

Falling land values and the downturn of the housing market has significantly changed the climate for property development not just in Brighton & Hove but across the UK making it difficult to establish any meaningful valuations. Property and land values are also dependent on planning and land use. All of this has created an uncertain market coupled with an unwillingness of funders and financial institutions to commit investment at this time.

On the positive side, there remain investors wishing to expand their business interests in the city – for example, Standard Life Investments and American Express. At the same time, the council are moving forward with other major regeneration schemes such as the Community Stadium at Falmer and the Open Market.”

- 49.57 Councillor Lepper asked a supplementary question, “Could the Cabinet Member for Major Projects explain why the most recent edition of the Forward Plan under key decisions says that during this time a most vital business retention and inward investment strategy is being delayed until the end of March, given its particular importance for the retention of small businesses in Brighton and why are we at this crucial time waiting for a suitable investment strategy from this council and why are we still waiting on delayed reports from external consultants after the initial consultation period ended back in September last year?”
- 49.58 Councillor Kemble replied, “The council at the moment is currently carrying out its retention and inward investment programme and there will be a report coming to Cabinet in April of this year. The reason for the delay is the fact that we have been carrying out quite a lot of comprehensive consultations with stakeholders and partners and we are still waiting on some of their responses.”
- 49.59 Councillor Marsh asked a further supplementary question, “I would like to ask Councillor Kemble whether he could estimate how much has been spent to date on the external consultants carrying out the business retention inward investment study?”
- 49.60 Councillor Kemble replied, “I understand that the council has spent approximately £35,000 to date on this consultation process.”
- 49.61 (n) Councillor Turton asked:
- “Could the leader of the council please confirm the outcomes from her three day trip to Switzerland, in terms of how far forward they are on the development of Black Rock?”
- 49.62 Councillor Mears replied:
- “The main purpose of the two day visit to Geneva was for lead members and senior officers of the council to have joint discussions with the partners within Brighton Arena Limited, key personnel behind the investment fund for the arena, the lead investor in the fund and the preferred franchise operator of the ice hockey team. Geneva was

chosen as the location for the meeting because the lead investor had already committed to be in Geneva at this time and the investment fund is based there. It was therefore considered most expedient and convenient for all those attending to have the meeting in Geneva.

The outcomes being sought in the main were to meet the lead investor to:

- discuss their assurances on the overall funding package and obtain a clearer idea on likely timescales
- agree next steps required to move towards achievement of financial close.

In the current financial climate it is extremely important to bring investment into the city. I want my administration to be proactive in making the best of the opportunities that arise. These meetings did assist us in achieving a number of very positive outcomes and all the parties are now working towards a financial close in the near future.

I would also like to say that this project will deliver some excellent and much needed benefits for the city. We want to do all we can to ensure that the work that the Brighton International Arena team are doing at this very difficult time to secure funding is seen to be fully supported by us as a council."

49.63 Councillor Turton asked a supplementary question, "Councillor Mears' reply states that Geneva was chosen because the lead investor and investment fund is based there. Given that I understand the duration of the actual business meeting was some sixty minutes, would it not have been cheaper for the taxpayer to have held the meeting via video conferencing and would this not have demonstrated support for individual businesses in the city during a time of recession by being local and buying local?"

49.64 Councillor Mears replied, "In response to your question, Councillor Turton, there were other meetings, quite extensive meetings and the reason why it was in Geneva was, in fact, that the funder was coming up from Johannesburg and I had no intention of travelling that far. He insisted that the meeting was in Geneva, which took place and they were extensive meetings, so I think you have got that slightly wrong.

I did read the article in the Argus today, and do you know I was quite disappointed I didn't have a picture, which was such a shame but never mind. Councillor Turton in this current climate it is extremely important to bring investment to the city which I am sure you will agree. I want my Administration to be proactive in making the best of the opportunities that arise and that sometimes means travelling overseas to secure backing for projects and partnerships. I would have thought that Councillor Turton would want us to be doing this to bring investment into the city.

I am surprised at Councillor Turton's questioning of my Administration's record on making foreign trips, considering the record of the previous Labour Administration in this regard. He will no doubt be aware that Members of the previous Administration took numerous trips abroad, some of which were included as part of the Labour Council's Membership of the International Association of Peace Messenger Cities, for which they allocated a budget of £2,000 a year, that helped then Councillor Brian Fitch to take various trips around the world including to Japan, Canada at the taxpayers' expense.

In 2004 several representatives of the council took a five day trip to Los Angeles to consider redevelopment of the King Alfred. The trip cost the council almost £4,000. Simon Burgess, then the Leader of the Council, visited Deauville, as I remember Councillor Kemble visiting and I am sure they both enjoyed it. I am also aware of a host of trips between 2004 and 2007 by Members of the previous Administration on so-called European business. Trips include multiple visits to Italy, Spain, France, Belgium, Greece and Sweden.

I ask my Cabinet Members for a full report on their trips and what they achieve. As part of openness and transparency, Councillor Turton, I will be asking officers to check if there were any other similar reports being costed by the Leaders of the previous Administration.”

- 49.65 Councillor Meadows asked a further supplementary question, “Could Councillor Mears explain why the taxpayers bill for the Conservative Councillors’ trips overseas and within the UK was over £12,000 in just the first seven months of her Leadership, compared to £9,000 for Labour’s twelve months in the last year of their office, and £8,000 for the year under Councillor Oxley’s Leadership?”

How does the Conservative Administration reconcile that amount of spending with their theme song of ‘value for money’ and with Councillor Mears’ written response that this project will deliver added value and much needed benefits to the city?”

- 49.66 Councillor Mears replied, “This Administration has worked really hard in the last eighteen months to, I would say, address the situations that we inherited. I am surprised at Councillor Meadows referring to the actual cost of the funding. I think the answer to the question was very clear, we have some major sites in this city that actually potential developers are very keen to talk to the City Council about and I would have thought in this day and age, particularly with an economic downturn, Councillors in this chamber would be very, very keen to ensure that we speak to developers and funders across the world if they are interested in coming to our city.

As I said earlier in my report to Councillor Turton, I mean obviously there are some disparages that Councillor Meadows seems quite concerned about, so I will be asking officers for a report on the Labour Administration’s trips because I would be very, very interested into actually the outcomes of those.”

- 49.67 (o) Councillor Hawkes asked:

“Could the Cabinet Member for Children's Services clarify whether there are any plans to close or re-home the Bright Start Nursery used by Council Staff?”

- 49.68 Councillor Mrs Brown replied:

“As part of its budget strategy for 2009/10 the CYPT has looked at a range of possibilities for securing savings. The need to prioritise vulnerable children, particularly in light of events in Haringey, has led to the consideration of a range of options. One of the options that has been considered is the reduction of the subsidy to Bright Start Nursery. However there are no firm proposals at this stage.”

49.69 Councillor Hawkes asked a supplementary question, "In your answer you said that one of the options that had been considered was the reduction in the subsidy to Bright Start Nursery and in the final sentence told me that: 'However, there are no firm proposals at this stage.'

Does that mean please that it comes out of your budget list? It's not clear enough; I'd like to be quite clear, has it been dropped?"

49.70 Councillor Mrs Brown replied, "We have been looking at a number of things as you know because we have kept to the brief but you also know that we have to prioritise our work with vulnerable children and that's why we have had to consider all our subsidies. As I said in my first answer there are no firm proposals at this stage."

49.71 (p) Councillor Kitcat asked:

"Can Cllr Theobald provide the costs incurred by the council in printing and sending notifications to residents for:

- The changes in bin collection schedules.
- The introduction of communal bins in some wards and discontinuation of bag collections,
- And the changes in recycling collection schedules?"

49.72 Councillor Theobald replied:

"The cost for the communication including designing, printing and posting the materials is budgeted at £98,000. This works out at approximately £0.47 per communication. Given that all the changes result in annual savings just short of £1m I think this is money well spent."

49.73 Councillor Kitcat asked a supplementary question, "Councillor Theobald may or may not know that in Regency Ward these three communications regarding changes to schedules and recycling and the introduction of communal bins were all received in the space of less than one month.

Would the money not have been better spent in just one single communication reducing the cost perhaps to some £30,000 and is it not the case that perhaps if the waste strategy had been ready you would have realised the need for these three communications and the aim to plan ahead and so save £60,000 of taxpayers' money?"

49.74 Councillor Theobald replied, "I don't think so. I know you are very keen on communal bins and frankly I would have thought that you would have been congratulating us, you know for communicating, for telling people, for advising people and you know as well as I do that if you put three communications through then people are more likely to take notice of it than if you just put one.

We do have a professional communications team at this council and these sorts of matters are put to them, we take their advice and they put them out. £98,000 and I

have already said to you, in one of your initial questions, or one of the others, we are saving something like £1m a year. Now frankly, you would be right to criticise me if I wasn't communicating with people and here I am you are now criticising me for spending money by trying to advise people. I am just mystified, I really am, and so my answer really, I have given it in the wrong way, is no."

- 49.75 Councillor Morgan asked a further supplementary question, "Can the Cabinet Member confirm that the new communal bins will not have foot pedals, unlike the one pictured in the current issue of City News to illustrate their introduction where a foot pedal is being used?"
- 49.76 Councillor Theobald replied, "I think people do understand how to use them. They don't necessarily have the pedals at the bottom but they have a flap at the top so that they can be used."
- 49.77 **(q)** Councillor Kitcat asked:
- "Can Cllr Theobald provide an estimate on the number of people who have taken up the assisted waste collection service since the introduction of communal bins and what number of users has been budgeted for at what cost?"
- 49.78 Councillor Theobald replied:
- "Communal bins are generally easy to use as they avoid the need to carry a weekly supply of refuse in big black bags, and in many cases taking these down into basement bin stores. Instead small bags of rubbish can be deposited in the bins on a daily basis if need be. However some people are unable to use communal bins and Cityclean will provide assisted collections for these residents. 17 people currently have an assisted collection for the existing communal bin collections that cover 6,600 households. To date we have received 35 requests for the new communal bin roll out covering 24,000 households, which are currently being considered against criteria set with the FDA (Federation of Disabled People) to ensure a fair and consistent approach to agreeing assisted collections.
- Given our past experience it is highly likely that these numbers will reduce as residents understand the system and those who have negative views of the bins get use to and accept the scheme. Assisted collections are picked up by the driver of the communal bin truck and thus are provided within the budget for the communal bin service."
- 49.79 Councillor Kitcat asked a supplementary question, "Councillor Theobald said communal bins are generally easy to use, yet I had numerous phone calls and emails from people finding them very difficult to use because they do not have the foot pedal, they are particularly high and there is no support for the metal lid when it is lifted and it doesn't stay open, so people find it very difficult to use. If you walk through Regency Ward you will find most of the flaps stuck open, people are unable to close them.

I recently had, in fact yesterday, two elderly ladies in my Ward claiming they had waited two and four weeks and have still not received the assisted collection promised and were very worried but grateful to the Director of Environment for following this up and something, I am told, will be done very shortly.

Who did Councillor Theobald consult before agreeing the removal of foot pedals from this new model of bin which has been procured by his Department and has made these bins so much harder to use? Is he also aware that in addition to being harder to use for so many people these metal lids slam shut making significant noise waking children and other sleeping people in the evening?"

- 49.80 Councillor Theobald replied, "What is interesting, Mr Mayor, is that Councillor Kitcat's original question was about assisted waste collection service, and I have answered that question, so presumably those people having an assisted waste collection service wouldn't be using these bins because they would be assisted, so really I am surprised that you didn't rule that out of order.

Having said all that my answer to your point is that we have trialled these various bins, we have actually consulted residents and residents in the main prefer the ones that we are now putting out. We constantly consult residents, we like to get what their views are and how easy they find them to use. We have trialled them and these are the ones that are preferred."

- 49.81 (r) Councillor Marsh asked:

"Could the Cabinet member for Housing clarify what improvements are being made to tenants' homes under the Decent Homes Standard?"

- 49.82 Councillor Caulfield replied:

"Delivering decent homes is the key driver of our programme of investment in Council Housing. We are giving priority to the key components of the decent homes standard, which includes ensuring windows, doors, heating and electrical systems meet the standard.

In addition, we are investing significantly in high quality replacement kitchens and bathrooms, with a budget of around £1.3 million this financial year and over £2 million during 2009-10. These can substantially improve the quality of accommodation and living conditions for residents. We are also including low cost features which help protect the environment and save residents money through water and energy reductions.

In addition to Kitchen and Bathrooms, our decent homes programme also involves the following:

- A two-year external decorations and repairs programme with an estimated value of £5 million. This will improve decency by tackling issues such repairs to brickwork, pointing or render.

- A substantial programme of boiler and central heating repairs is underway, with spending in the region of £2.5 million annually delivering reductions in tenants' fuel needs.
- Entrance doors to properties are subject to a large scale replacement programme worth around £3.5 million between 2008 and 2010.

When we replace a kitchen or bathroom we are also ensuring that we use this opportunity to upgrade the electrics or fit a new boiler at the same time if required. This represents a smarter approach both in cost and minimising disruption for residents."

- 49.83 Councillor Marsh asked a supplementary question, "I am most grateful for the clarification that Councillor Caulfield has supplied to me and so I am sure will our constituents because they did get rather confused by what appeared in Homing In. Could you confirm that you were actually forced to issue a retraction in that magazine after falsely implying that all tenants would receive new doors and kitchens and that it was highly irresponsible to raise the hopes of tenants about a scheme that was actually only on a needs only basis?"
- 49.84 Councillor Caulfield replied, "I am sorry if tenants took the article in a wrong manner. It is not on a needs basis, we are introducing decent homes across the city. We inherited the council's stock of decent homes of less than 50%. We are not doing a needs assessment where, you need a kitchen so we'll give you a kitchen. We want to improve the housing across the city so that all our houses not only meet the Decent Homes Standard but the Brighton & Hove standard, which is the tenants' standard. I am quite happy to do a new article both in City News and in Homing In to clarify that situation. At the moment all tenants' kitchens will be looked at and they will either be entitled to a kitchen or a bathroom if currently it is over 20 years old and that simply is because we are waiting to be able to borrow money to invest in our stock.
- Money that the Government won't give us, that we are having to raise ourselves and we are having to do that by looking at our stock with the little money that we have got at the moment and to help as many people as possible. Obviously if we get the money we will do kitchens and bathrooms. We don't have the money, the Government's not going to give us the money, so we have to help the people who need it most first and then help as many people as possible. When we get the money that this Administration has raised we will look at everyone to meet decent homes across the city not just on a needs basis."
- 49.85 Councillor Simpson asked a further supplementary question, "Could the Cabinet Member explain what she and Councillor Mears gained in knowledge of how to achieve Decent Homes Standard or indeed any area of housing activity from attendance at the Chartered Institute of Housing Conference in Harrogate at a cost of £2,000 in June last year, or perhaps alternatively there is a written report we could be provided with?"
- 49.86 Councillor Caulfield replied, "I can give you a copy of a written report, a report was written within a couple of weeks of us returning so that will be available to you. We did actually gain a lot of knowledge because as you know the tenants in this city after they

voted loud and clear to a no stock transfer vote we were left in a mess with no money to meet the Decent Homes Standard across the city.

Both myself and Councillor Mears went to Harrogate because there are very few authorities throughout the country who are putting a scheme together such as ours, so it was vitally important we went to that. We made some excellent contacts which we are working on now. We talked to other authorities who have done similar things but not quite the same. We picked up a lot of contacts for our ten year procurement contract and looked at how contractors are working in partnership with other authorities and that is paying dividends now.

We have also got the South East Regional Conference coming next month and we are actually bringing tenants with us so they can have the benefit of making contacts and meeting other tenants, so that conference was extremely valuable and actually has paved the way for this Administration's view of housing and I can get you the report."

49.87 (s) Councillor Morgan asked:

"Can the Cabinet member for Environment state how many complaints have been received by Cityclean regarding missed or delayed refuse collections in the months of October 2008, November 2008, December 2008 and January 2009, which areas these complaints are predominantly from and how they compare with the same period for the two previous years?"

49.88 Councillor Theobald replied:

"I am sure that Councillor Warren Morgan would agree with me that we have to be very careful in using comparisons of figures that are not on a true like for like basis. Even the Government has now established its own independent statistical oversight agency, the UK Statistics Authority.

From the start of October 2008 until 19th January 2009 there were 3236 reports of missed bin collections. This covers a period of change which affected approximately 100,000 households. The previous two years saw no such change, and so for the same period i.e. October 2006 to January 2007 and October 2007 to January 2008 the figure for reported missed bins was 1543, this averages at 0.04% of the total collection. Perhaps you would now like to join me in congratulating City Clean for their excellent work in bringing in such a complex change for so many households."

49.89 Councillor Morgan asked a supplementary question, "Whilst I do congratulate Cityclean on doing a difficult job under the changes imposed on them, would Councillor Theobald agree that when similar cuts are made to the recycling service next month any repeat of the more than 3,000 missed collections and complaints which have occurred since October will undoubtedly result in many people losing faith in this council's recycling service and consequently recycling less?"

49.90 Councillor Theobald replied, "We are doing a full communications campaign. We are doing everything that we possibly can and I have stood up in this council a lot of times to try and say to you that these are difficult things, changing people's days, from the staff's point of view, from the men and women's point of view who collect and from the

residents' point of view who put it out, it's all an enormous change. Officers are working seven days a week trying to ensure that this is done as smoothly as possible.

Every one complaint is one too many as far as I am concerned but we will be doing our very best and I think you will see from my original answer the actual number of complaints given. I would thank you for your kind remarks because it is a difficult job, and your previous Administration know that because you went through this before. It is a difficult task but the number of complaints relatively has been small when one thinks of the overall city. I can assure you that we will certainly be doing our very, very best."

49.91 Councillor Fryer asked a further supplementary question, "It is very frustrating for people when they do make a complaint they don't get a brisk response. My question is how many phone calls and emails have not been replied to within the expected standard of ten days?"

49.92 Councillor Theobald replied, "I always try and answer questions but I think that one is an impossible one to answer off the cuff."

49.93 (t) Councillor Kennedy asked:

"Since refuse rounds were re-scheduled last October, residents in Osborne Road have only had their rubbish collected on the correct day on two occasions. Can Cllr Geoffrey Theobald tell me if, as Cabinet Member for the Environment and as a council tax-payer, he thinks this level of service is acceptable?"

49.94 Councillor Theobald replied:

"You are right Osborne Road has suffered in particular from the refuse round changes and of course the Christmas period did not help matters in this case. Although we expected it to take some months to settle in the new rounds I do not think it is acceptable that the residents of Osborne Road had to wait so long for the normal, reliable service to Return.

Further changes have been made to this refuse round with the intention of getting a regular service returned to those residents.

I can assure residents that I am working with City Clean to get this right."

49.95 Councillor Kennedy asked a supplementary question, "I thank Councillor Theobald for his frank and honest reply and for admitting that the level of service experienced by residents of Osborne Road with regard to refuse collections has not been acceptable since changes to the rounds were introduced.

I am also pleased that Councillor Theobald can assure residents that he is working with Cityclean to get this right but can he assure residents that Cityclean Managers are working with Cityclean workers and Union representatives to ensure that the new rounds are realistically achievable within the working day?"

49.96 Councillor Theobald replied, "Well, the answer to that is yes."

49.97 (u) Councillor Davis asked:

“How many days in all has the Jubilee Library IT system not been working properly since its installation?”

49.98 Councillor Smith replied:

"The public access computer facilities across all our public libraries suffered a major server failure on 23rd December and were returned to full working order on 20th January - a total of 28 calendar days (but only a maximum of 16 library open days) to get all systems fully up and running. However, during that time different libraries were able to do a phased return:

- All community libraries excluding Hangleton Library returned to allowing public use on 6th January, albeit without some desktop icons, and had normal use from 14th January.
- Jubilee Library, Hove Library and Hangleton Library returned to allowing public use on 15th January, but had to process new members with temporary cards until the final fix on 20th January.

All systems are now running normally on the temporary server, and a new server is on order."

49.99 Councillor Davis asked a supplementary question, "I am sure Councillor Smith shares all our concerns with the server failure at the Jubilee Library and the extreme inconvenience it was to many users. I wondered how the council was going to be compensated for this loss and indeed how users might be too?"

49.100 Councillor Smith replied, "I don't know the answer offhand but I will get a written reply for you."

49.101 Councillor Mrs Theobald asked a further supplementary question, "I just wondered whether in general users of the city library are happy with the services the council provides?"

49.102 Councillor Smith replied, "A recent survey indicated that users of our city libraries are highly satisfied with the service we provide. The latest city view residents' survey shows that more than four out of five, that's 81%, of the responders were satisfied with our libraries, which is a 10% increase since 2006 and an impressive 27% increase on satisfaction levels in 2003. This echoed our performance in the most recent national adult library users survey which showed 88% of users were satisfied with our libraries, an increase of 4% on the previous survey.

Children and families in the city have clearly indicated how much they appreciate our libraries as in the recent national children's survey we achieved a 91% satisfaction rating, a 13% increase on previous levels and we are one of only four authorities in the whole country to achieve a 90% or higher score. I think that's a fantastic achievement

for our city and for our libraries. All these and other indicators show that local people are very happy with the improvements that we continue to make in our libraries.”

49.103 (v) Councillor Allen asked:

“It is clear that many drivers are confused as to who has right of way at the Highcroft Villas/Dyke Road Drive/Stanford Road/Port Hall Avenue crossroads. Those coming from Port Hall Avenue frequently ignore - or simply do not notice - the fading STOP sign on the road and fail to give way to those turning right from Dyke Road Drive into Highcroft Villas (who in fact have right of way). Would the Cabinet Member for Environment agree to take action as soon as possible?”

49.104 Councillor Theobald replied:

“In response to your question, I am pleased to report that this junction has a very good safety record so I won't be instructing officers to consider alterations to the junction layout. However, I have asked for the faded 'Give Way' junction markings on Porthall Avenue and Stanford Road to be renewed, and this will make the situation clearer.”

49.105 Councillor Allen asked a supplementary question, “I note the disappointing and if I may say so uncharacteristic and dismissive response. Would Councillor Theobald not accept that I ask this question out of personal observation on an almost daily basis and perhaps it would not be hugely onerous on his staff resources to arrange a meeting with myself, maybe other Councillors, and the Transport Co-ordinator in the Prestonville Association to try and look at the problem?”

49.106 Councillor Theobald replied, “The point is, Councillor Allen, that this has an excellent safety record and I thank you for drawing attention to the fact that the sign in the road needs repainting. I have given instructions for that to happen or I can ask an officer to meet you on the site so that you can have a chat but I am not sure how much further that is going to go.

I am often standing up here and I know it can be frustrating for Councillors opposite in particular when you ask for things to happen and I turn round and say well there haven't been any accidents but that is the case, it has an excellent safety record so changing things round I can't see the advantage to it.”

49.107 Councillor Kitcat asked a further supplementary question, “Can Councillor Theobald then confirm that the policy of his Department is to wait until there is a serious accident before doing anything to improve the safety of our roads?”

49.108 Councillor Theobald replied, “Well I think that is a very silly thing to say. Frankly, all things are dealt with as far as need and there is only a certain amount of resources and you obviously deal with those matters which are the most serious. That is absolutely obvious I would have thought to anybody here.”

49.109 (w) Councillor Allen asked:

“The work carried out in Preston Park under the previous Labour administration's planned programme of refurbishment of the city's parks brought credit to the council

as a whole. It is sad to see the current signs of neglect, in particular the deteriorating condition of some of the benches. Two in the Rose Garden have missing slats, as do three in the main body of the park. What plans does the Cabinet Member for Environment have to remedy this neglect?"

49.110 Councillor Theobald replied:

"I have instructed officers to have the benches repaired as soon as possible. Preston Park is one of our flagship parks that continues to be awarded Green Flag status for many years running. Significant improvements have been made to the park including the complete refurbishment of the multi-use games area. We are also planning to renew signage in Preston Park and other parks across the city. This administration has also set up a new parks ranger service to reduce anti-social behaviour in parks, organise events, forge links with local communities and get more people enjoying our parks. However, I welcome your report and I have instructed officers to repair those benches."

49.111 Councillor Allen asked a supplementary question, "Could Councillor Theobald tell me how many months or years will elapse between the issuing of the instruction and the implementation of it?"

49.112 Councillor Theobald replied, "This is something that will be dealt with as soon as possible and once again I would like to thank you very much indeed for drawing this to our attention. I can assure you that when Councillors are out and about and they notice things, if only they referred them then they would be dealt with. I have already explained in my answer here the various things we are doing and I am sure that you are going to be very delighted to hear and this is in response certainly to my wish over the years representing a Ward like Patcham, for instance, and that is we are going to put in an extra cut in the grass verges next year, so that will all add to the area's enhancement and improvement. I am sure you will be very pleased with that as I am sure the residents of Brighton and Hove will be."

49.113 (x) Councillor Carden asked:

"Could the Cabinet Member for Children and Young people's services please confirm whether an extra £200,000 has been allocated to youth services for Brighton and Hove?"

49.114 Councillor Mrs Brown replied:

"The CYPT is planning to increase its core funding for youth support services in the City by £200,000 in 2009/10 but this is dependent on the overall budget setting process.

However the current funding for the transitional youth work of £250, 000 will no longer be available in the Area Based Grant in 2009/10. This money has been funding both the voluntary and community sector as well as CYPT directly managed work.

When the £200,000 is secured it is planned to commission services in line with the Integrated Youth Support Services Commissioning Strategy which has been approved

by the CYPT Board. This process will be managed through the Commissioning sub-group and the Youth and Connexions Board. Both committees have elected voluntary and community sector representatives as well as representation from the statutory sector.

The intention will be to commission some youth services from the VCS, most likely at a slightly reduced level from this new funding stream because of the overall reduction in funding. But all the work funded LA or VCS work, will have contracts or Service Level Agreements and agreed outcomes that deliver the CYPT priorities as identified in the commissioning strategy.”

49.115 Councillor Carden asked a supplementary question, “If there is some spare money going, can you please ensure that some of it crosses Boundary Road? You know to that little place called Portslade where we have been suffering with youth disorder problems this year, more than we have ever known. It would be very much appreciated by the Youth Service if some cash could find its way into the Village Centre to help with their outreach work which they are doing at the weekends.”

49.116 Councillor Mrs Brown replied, “You know what budgetary constraints we are under and I would love to be able to pass it across the city and more into your area but along with the 67 Centre, PCC Village Centre does have the highest grant from the CYPT budget for youth centres and actually has had a small increase in its funding this year.

The historical position is that this is a school managed youth centre and the Manager has been paid at a higher rate than other full-time workers. There are ways of increasing income at the Centre to mitigate the problem and these have been fully discussed with the Manager. There is still an ongoing dialogue with the school and the CYPT and I am very sympathetic to your needs.”

49.117 **(y)** Councillor Duncan asked:

“Can Councillor Ayas Fallon-Khan confirm how many press briefings have been held by the Council taken place in the current municipal year?”

49.118 Councillor Fallon-Khan replied:

“Almost all interface between the council and the media could be described as a form of briefing as the purpose is, invariably, to impart information about council business to one or more journalists, or to *brief* them about a given topic. This can be for the purpose of providing quotes either in print or for broadcast – or the briefing could be for information to inform a news item or feature.

Work conducted by the press office include proactive press releases and reactive verbal or written responses to media enquiries; the organisation of face-to-face interviews; telephone conversations; letters (either for publication or not for publication) and press conferences. However, the communications team has in the last six months improved its systems to capture as much of this activity as is possible and appropriate. The following figures can be given for that period as a measure of the volume of dialogue between the media and the council.

On the basis of previous activity it is estimated that there are slightly over 100 instances of contact with the media a month. It can therefore be assumed that in the 10 months of the municipal year the council has had dialogue with the media upwards of 1,000 times. However for the reasons stated above, this can only be estimation."

- 49.119 Councillor Duncan asked a supplementary question, "I understand, of course, that every contact between journalists and council employees is a form of briefing but I am interested specifically in those briefings to which it would be appropriate to invite Opposition Spokespeople as laid out in this protocol, Working With No Overall Control, a guide to the workings of the Press Office under a Minority Administration which was agreed by the Leaders' Group on 13 June 2003.

That seems rather a long time ago but it has never been rescinded, it has never come before this council or before the Leaders' Group or before the pre-existing P & R Committee or any other body to which we say that the order applies. However, according to this it says that where appropriate Opposition Spokespeople will be invited to press briefings, etc. I am not aware that that has ever happened in any of the thousands of instances that you set out here.

I am wondering whether a decision has been taken somewhere not to apply or if we are no longer a council in no overall control or what other explanation there might be for the fact that this protocol is not being upheld?"

- 49.120 Councillor Fallon-Khan replied, "I have to say that's a cracker and I will tell you why in a second. Officers have, as far as I am aware, observed the existing protocols and there is a consultation going on which is Government induced and we will be reviewing everything to do with council publicity as part of the six month review of the Constitution.

I have to say to Councillor Duncan, I wasn't going to expose him at this point, but I think I am just going to have to. Last year I was called up by a couple of journalists who were interested in badger management in Brighton & Hove City Council and Councillor Duncan, as he recalls, asked very vociferously for an extremely extensive and very well researched report on badger management and I said that's absolutely fine being open and transparent. We said we would do exactly what we could and we would bring it back to a Cabinet Member Meeting where we would have a press briefing afterwards should the Councillor have wanted it.

The officers went back and I think in up to three or four weeks produced one of the best documents I had ever seen in that time which had absolutely everything that you could possibly wish to know about badger management in Brighton & Hove City Council and answering every single question that Councillor Duncan had requested.

We then turned up to the Cabinet Member's Meeting and all of us were there, all the officers were there, the two journalists were waiting outside and the Councillor didn't turn up for that particular meeting. Next time we have a Cabinet Member's Meeting with something that you request I will make sure that we have as much of the press outside as possible as long as you make sure that you turn up."

49.121 Councillor Mitchell asked a further supplementary question, "Could Councillor Ayas Fallon-Khan say in his view, at the present time, whether the council's press team work for the Administration or for the council?"

49.122 Councillor Fallon-Khan replied, "As far as I am aware they work for the council."

49.123 (z) Councillor Duncan asked:

"In light of a report in The Times that "Tens of thousands of public sector jobs will be lost across Britain this year as councils struggle to cope with the impact of the recession... and unions fear that few of the 442 local authorities across England, Scotland and Wales will escape the cutbacks" and the fact that neighbourhood management staff serving the deprived Tarner and Eastern Road areas have been served redundancy notices, can Councillor Mary Mears confirm how many jobs look set to go at Brighton and Hove Council in the coming year?"

49.124 Councillor Mears replied:

"Currently no staff have been made redundant and we hope that there will be no need for any redundancies. There are 26 employees who have been identified as at risk of redundancy out of a workforce of over 7,000. The Council is working extremely hard to ensure there are no redundancies. These officers are also being supported by Human Resources to identify alternative roles for redeployment should this be necessary. The Council believes, based on its current information, that it will successfully retain a significant number of these staff in its employment."

49.125 Councillor Duncan asked a supplementary question, "We heard today when the petitions were being presented that 1,000 people had directly called upon this council to guarantee the continued employment of the Neighbourhood Management Team serving the Tarner and Eastern Road Area Partnerships working out of a local office in the area as at present. Councillor Dee Simson was good enough to attend the most recent meeting of the Eastern Road Area Partnership. However, at that meeting she said she was unable to guarantee the security of the jobs of those working in the Neighbourhood Management office.

My supplementary question is this, can Mary Mears give us such a guarantee today that there will be no job losses?"

49.126 Councillor Mears replied, "Councillor Duncan should be aware from my first answer that no redundancy notices have been issued to the Tarner and Eastern Road staff. The notices that have been issued are 'at risk of redundancy notice'. Our funding package should mean that if redundancies are necessary staff will be redeployed into similar community roles. Details should be available next month.

As Councillor Duncan will know the present situation with Tarner and Eastern Road is the result of an abrupt Labour Government cut in grant funding, not Tory cuts. He should also know that the last Labour Administration in Brighton and Hove cut the funding for the city's community development and neighbourhood support teams. They replaced it with temporary national funding which the Labour Government has now cut.

After Labour dumped the residents of Tarner and Eastern Road in this situation, I know my Cabinet Member for Community Affairs has been working extremely hard sorting out the mess. She has also been talking to Councillor Duncan's colleagues and his residents to let them know what is going on and how we plan to help. I am delighted to say that my Conservative Administration has secured a £1.2m funding package for community work in the city. This will secure the future of work in Tarner and Eastern Road.

Full details will be announced next month and Councillor Simson will be meeting with the community groups about it."

49.127 Councillor Simson asked a further supplementary question, "Does the Leader of the Council agree that the work currently being done by this Administration to identify funding to cover the significant cuts made by the Labour Government to vital neighbourhood management and community development work through the neighbourhood renewal and area based grant is to be welcomed by our most vulnerable residents both in areas of high deprivation such as Tarner and Eastern Road and right across the city?"

49.128 Councillor Mears replied, "The simple answer is absolutely yes.

Fact 1 – the Labour Government has abruptly cut special funding targeted for helping the city's most deprived and disadvantaged communities at a time when it is most needed.

Fact 2 – the last Brighton and Hove Labour Administration cut the city's community development and neighbourhood support teams and replaced them with temporary funding from transitional national policies that the Labour Government has now cut.

Fact 3 – the last Brighton & Hove Labour Administration failed entirely to plan for this eventuality and as a result left some of the city's most important communities and neighbourhood services without funding and therefore potentially a future.

As you can see this Administration has been left with a mess caused by Labour's chaotic national policies and local mismanagement. Against all these odds this Administration has worked tirelessly with their partners and local residents to secure a funding package that ensures community activities across the city can continue. This two year package of support comes to well over £1.2m and includes support to continue work in Tarner and Eastern Road.

The council is finalising the details and we will make a full announcement in mid-February."

49.129 **(aa)** Councillor West asked:

"Is Cllr Theobald aware of recent reports of an unholy stench escaping from the Hollingdean Dump and invading the local area.

Local residents, parents, school staff and children have been repeatedly subjected to the stench of rotting waste. On a recent occasion the smell in the playground at Downs Infants School was so awful it was described to be "as bad as at the back of a refuse lorry". So terrible in fact people have taken to covering their faces.

Parents, teachers and residents are understandably very concerned not only about the unpleasantness of the smell but the possible health hazard it presents to them and their children."

49.130 Councillor Theobald replied:

"I am aware that on the 8th of January complaints were logged about odour from the Hollingdean Waste Transfer Station by one resident, the head teacher at the school and two parents walking to school. Environmental Health Officers investigated immediately and did not identify a statutory odour nuisance. The reported smell experienced that day resulted from a build up of waste over Christmas and New Year being moved.

A waste management licence, which is regulated by the Environment Agency, ensures that waste cannot be stored on site for more than 72 hours. To comply with this licence condition, large amounts of waste were being moved on the day in question. This resulted in increased lorry journeys and the doors to the facility opening more frequently.

Following the investigation, Environmental Health have written to Veolia and handling practices have been reviewed and improved to address exceptional circumstances should they recur. Environmental Health, Planning, Cityclean and Veolia will continue to work together closely to monitor the situation. If residents experience problems, they should contact council officers first in preference to the media so that officers can respond promptly."

49.131 Councillor West asked a supplementary question, "I would like to draw your attention to the omission of the last two paragraphs of my question as reproduced in the Addendum today. I don't know if this has any bearing on Councillor Theobald's failure to address the specific questions I asked. Would Councillor Theobald please personally answer my questions fully in writing?

My supplementary question: is Councillor Theobald aware that chemical deodorisers are used to mask the smell of waste at the dump? Chemical deodorisers have been associated with health risks. If smell is apt to escape from the site so will deodorisers. Will Councillor Theobald assure the public that the chemicals used are entirely safe?"

49.132 Councillor Theobald replied, "The Environment Agency's Waste Management Licence sets high standards concerning waste management, waste acceptance, odour, noise, records, pest control and emissions of substances. As you probably know Environmental Health Officers are happy to investigate complaints and liaise with the Agency, so if there are any specific complaints then, as I have said in my answer to your initial question, please let officers know as quickly as possible and they will respond just as fast as they can."

50. REPORTS OF THE CABINET, CABINET MEMBER MEETINGS AND COMMITTEES.**(a) Callover**

50.1 The Mayor noted that Members had indicated a wish to discuss the reports listed on the agenda and therefore stated that the following items on the agenda would be reserved for discussion:

Item 51 – Libraries Plan 2009/12.

Item 55 – Equal Pay – Exempt Categories 4 & 5.

(b) Receipt and/or Approval of Reports

50.2 The Chief Executive confirmed that Item No's 51 and 55 had been reserved for discussion.

(c) Oral Questions from Members

50.3 The Mayor noted that there were no oral questions as both items had been reserved.

Refreshment Break

50.4 The Mayor stated that in view of the time and in wishing to give the opportunity for a full debate on the next item, he proposed to adjourn the meeting for the refreshment break.

50.5 The meeting was then adjourned at 6.40pm.

50.6 Following the refreshment break, the Mayor sought to reconvene the meeting at 7.10pm, however, having consulted with the Chief Executive, the Mayor noted that the meeting was inquorate and in accordance with procedural rules adjourned the meeting for a further five minutes.

50.7 The meeting was then adjourned at 7.10pm.

50.8 The Mayor then reconvened the meeting at 7.45pm.

51. LIBRARIES PLAN 2009/12

51.1 Councillor David Smith formerly moved the report, which sought approval of the Libraries Plan for 2009/2012. The plan set out the council's vision for the service, built on recent successes and outlined the priorities and objectives for the next three years, in the context of the overall plans and ambitions for the city as a whole. Councillor Smith noted that there was an intention to extend the opening hours of Hove Library to 1.30 – 5.30pm and a proposal would be brought forward in the budget papers, which if approved would be implemented in April 2009.

51.2 Councillor Elgood welcomed the report and the commitment to extending the opening hours of Hove Library. He wished to pay tribute to the library staff for bringing the plan

forward and for their tremendous work throughout the city. He hoped that the mobile library service would be maintained and that the use of libraries within the city would buck the national trend that had seen numbers fall.

- 51.3 Councillor Randall welcomed the report and noted that it had been considered by the Culture, Tourism & Enterprise Overview & Scrutiny Committee, which had made a number of recommendations that had been taken on board and was a good example of how well the new scrutiny system could work. He was concerned about the level of access to libraries and hoped ways could be found to extend opening hours throughout the service and local libraries utilised as community assets.
- 51.4 Councillor Davis welcomed the report and acknowledged the work of the Overview & Scrutiny Committee in enabling the revised plan to come forward. She also welcomed the proposal to extend the opening hours at Hove and hoped similar extensions could be achieved in other libraries.
- 51.5 Councillor Smith thanked the councillors for their supportive comments and noted the requests for further consideration to be given to improving access.
- 51.6 The Mayor noted that the recommendations of the report had moved and sought confirmation from the council.
- 51.7 **RESOLVED** – That the Libraries Plan 2009-2012 be endorsed.

52. NOTICES OF MOTION.

(a) Government Surveillance of Communications – The Database State

- 52.1 The Notice of Motion as detailed in the agenda was proposed by Councillor Oxley and seconded by Councillor Fallon-Khan.
- 52.2 Councillor Kitcat moved an amendment, seconded by Councillor Randall which was accepted by Councillor Oxley.
- 52.3 Councillor Elgood moved an amendment, seconded by Councillor Watkins which was accepted by Councillor Oxley.
- 52.4 The Mayor then put the following Notice of Motion as amended to the vote:

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

Whilst this Council recognises the increasingly complex nature of investigating the terrorist threat, it believes that a database of this sort would represent a serious and

unnecessary infringement of the ancient and hard-fought civil liberties of the people of Brighton & Hove and the rest of the country.

Notes that Home Office ministers describe the Intercept Modernisation Programme as a 'cross-government programme' which will lead to unprecedented data sharing of our information in tax records, educational achievements, National Identity cards, the National Vehicle Tracking Database, CORE (the proposed central electronic electoral roll system), as well as our personal internet use.

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

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

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

Therefore, this Council instructs the Chief Executive:

- To write to the Local Government Association and the Office of the Information Commissioner, requesting that they join the council in conveying to the Government their concern about the potential adverse impact on civil liberties of establishing a central electronic database.
- To write to the Home Secretary expressing the views in this motion and asking her to reconsider her decision to push forward with such a wide array of hugely expensive programmes which threaten our civil liberties.
- To request that the Cabinet considers expressing the views set out in this motion as part of a response to the Home Office's consultation on the secondary legislation for ID Cards, which amongst other issues is seeking comment on the information held on the National Identity Register and the agencies required to share information held on citizens."

52.5 **The motion was carried.**

(b) Democratic Accountability and the Quango State

- 52.6 The Notice of Motion as detailed in the agenda was proposed by Councillor Hyde and seconded by Councillor Janio.
- 52.7 Councillor Duncan moved an amendment, seconded by Councillor Kitcat, which was put to the vote by the Mayor and carried.
- 52.8 Councillor Mitchell moved an amendment, seconded by Councillor Morgan, which was put to the vote by the Mayor and lost.
- 52.9 The Mayor then put the following Notice of Motion as amended to the vote:

“This Council believes that an over-reliance on unelected quangos and private enterprises to deliver public services undermines the principle of democratic accountability that is fundamental to our society. This Council thinks that local councils, and the partnership structure they head, are better positioned to deliver public services than either QUANGOs or privately-owned businesses because they command a clear democratic mandate from local residents.

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

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

Therefore this Council:

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

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

52.10 **The motion was lost.**

(c) Accelerated Development Zones

- 52.11 The Notice of Motion as detailed in the agenda was proposed by Councillor Kemble and seconded by Councillor Oxley.
- 52.12 Councillor Elgood moved an amendment, seconded by Councillor Watkins, which was accepted by Councillor Kemble.
- 52.13 Councillor Turton moved an amendment, seconded by Councillor Mitchell, which was put to the vote by the Mayor and lost.
- 52.14 The Mayor then put the following Notice of Motion as amended to the vote:

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

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

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

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

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

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

- Write to the Secretary of State for Communities and Local Government urging her to include provision for ADZs in the Business Rate Supplements Bill, currently before Parliament.
- Write to the City’s three MPs urging them to support such a measure.
- This Council also notes the concerns expressed in Parliament during the passage of the Business Rates Supplements Bill and urges the Government to resolve these

before its final reading with a view of encouraging more flexible, localised and accountable business rate taxation, especially mindful of the impact of the recession on local businesses in the city.

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

52.15 **The motion was carried.**

(d) Unfair Prepayment Meter Energy Prices

52.16 The revised composite Notice of Motion as detailed in the addendum papers was proposed by Councillor Meadows and seconded by Councillor Kitcat.

52.17 Councillor Caulfield moved an amendment, seconded by Councillor Mears, which was put to the vote by the Mayor and carried.

52.18 The Mayor then put the following Notice of Motion as amended to the vote:

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

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

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

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

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

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

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

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

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

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

This motion asks that all members of the council;

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

It therefore requests the Chief Executive to write:

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

on the council's behalf urging it to take stronger action against energy companies.

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

52.19 **The motion was carried.**

(e) Pre-Payment Meters

52.20 The Mayor noted that following the submission of the composite notice of motion in (d) above, the notice of motion had been withdrawn.

(f) Wind Turbines

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

52.22 Councillor Cobb moved an amendment, seconded by Councillor Steedman, which was accepted by Councillor Morgan.

52.23 The Mayor then put the following Notice of Motion as amended to the vote:

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

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

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

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

This Council believes that increasing use of sustainable forms of energy including wind, tidal and solar generation will reduce our use of fossil fuel and give much needed help to the U.K. in meeting its target of producing 20% of its energy from renewable sources by 2020. The UK's current renewal energy production is only 4.6%.

This Council requests that the Chief Executive write to the Crown Estate and the Secretary of State for Energy and Climate Change, the Rt Hon Ed Miliband MP, expressing our support for the offshore wind farm plans and asking how Brighton & Hove can facilitate the development in order to make most economic benefit from it.”

52.24 **The motion was carried.**

(g) Retail

52.25 The Notice of Motion as detailed in the agenda was proposed by Councillor Steedman and seconded by Councillor Kennedy.

52.26 Councillor Kemble moved an amendment, seconded by Councillor Smith, which was put to the vote by the Mayor and carried.

52.27 The Mayor then put the following Notice of Motion as amended to the vote:

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

This Council notes that:

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

This Council therefore:

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

52.28 The motion was carried.

(h) Easing the City's Housing Crisis

52.29 The Notice of Motion as detailed in the agenda was proposed by Councillor Randall and seconded by Councillor West.

52.30 The Mayor then put the following Notice of Motion to the vote:

"This council notes with regret the calamitous effects of the recession on the city's regeneration programme, which has left many development sites in Brighton and Hove in limbo and the affordable house-building programme in disarray.

It also notes the empty buildings on some these sites, which could be used to help tackle the city's housing crisis by providing homes for some of the 11,000 households with their names on the Brighton and Hove housing waiting list and the many more who fill the ranks of the hidden homeless in the city.

The council therefore asks:

1. The Cabinet to consider the possibilities of carrying out an audit of all development sites to identify any buildings that could be brought back into use on a temporary basis for housing and other purposes.
2. The Chief Executive write to the government and the Housing and Communities Agency to make short-life funding available through the social housing programme 2008/11 to make suitable buildings habitable as homes.
3. The Chief Executive to write to the city's three MPs to support the council's call for short-life funding."

52.31 The motion was lost.

53. REFERRED NOTICES OF MOTION

- 53.1 The mayor noted that the Notice of Motion, concerning senior staff salaries had been referred to the Governance Committee for consideration under procedural rule 8.2
- 53.2 The information noted.

54. NOTICES OF MOTION REPORTED TO COUNCIL FOR INFORMATION ONLY

- 54.1 The Mayor noted that the Notice of Motion as detailed in the agenda had been referred to the Environment Cabinet Member meeting held on the 11 December 2008, and the decision taken was being reported back to the council for information in accordance with Procedural Rule 24.
- 54.2 The information was noted.
- 54.3 The Mayor noted that the meeting would need to move into closed session prior to the consideration of the next item and therefore proposed a five minute adjournment.
- 54.4 The meeting was then adjourned at 9.05pm
- 54.5 The Mayor reconvened the meeting at 9.10pm

PART TWO SUMMARY**55. EQUAL PAY - EXEMPT CATEGORIES 4 & 5**

- 55.1 The Council considered a joint report of the Director of Strategy & Governance and Interim Director of Finance & Resources, together with an extract from the proceedings of the Governance Committee meeting held on the 13th January 2009, which contained exempt information as defined in paragraphs 4 and 5 of Schedule 12A to the Local Government Act 1972 (as amended), concerning Equal Pay.
- 55.2 **RESOLVED** – That the recommendations contained in the report be approved.

56. TO CONSIDER WHETHER OR NOT THE ABOVE ITEM AND ANY DECISIONS THEREON SHOULD REMAIN EXEMPT FROM DISCLOSURE TO THE PRESS AND PUBLIC.

- 56.1 **RESOLVED** – That the above item and the decisions thereon remain exempt from disclosure to the press public.

The meeting concluded at 10.20pm

Signed

Chairman

Dated this

day of

BUDGET COUNCIL**4.30pm 26 FEBRUARY 2009****COUNCIL CHAMBER, BRIGHTON TOWN HALL****MINUTES**

Present: Councillors Peltzer Dunn (Chairman), C Theobald (Deputy Chairman), Alford, Allen, Barnett, Bennett, Mrs Brown, Carden, Caulfield, Mrs Cobb, Davey, Davis, Drake, Duncan, Elgood, Fallon-Khan, Fryer, Hamilton, Harmer-Strange, Hawkes, Hyde, Janio, Kemble, Kennedy, Kitcat, Lainchbury, Lepper, Marsh, McCaffery, Meadows, Mears, Mitchell, Morgan, Mrs Norman, K Norman, Older, Oxley, Pidgeon, Randall, Rufus, Simpson, Simson, Smart, Smith, Steedman, Taylor, G Theobald, Turton, Wakefield-Jarrett, Watkins, Wells, West, Wrighton and Young

PART ONE**57. STATUTORY OR VOLUNTARY DISCLOSURE BY COUNCILLORS OF INTERESTS IN MATTERS APPEARING ON THE AGENDA.**

- 57.1 Councillor Mears declared a personal but non prejudicial interest in relation to Item 59 in respect of the Open Market and Taxi Vouchers.
- 57.2 Councillor Kemble declared a personal but non prejudicial interest in relation to Item 59 in respect of Taxi Vouchers.
- 57.3 Councillor Hawkes declared a personal but non prejudicial interest in relation to Item 59 in respect of the fact that she was a Board Member of City College.
- 57.4 Councillor Duncan declared a personal but non prejudicial interest in relation to Item 59, Labour Group Amendment No.1.
- 57.5 Councillor Elgood declared a personal but non prejudicial interest in relation to Item 59 in respect of Taxi Vouchers and the Green Group Amendment No.5 and the Albert Kennedy Trust.
- 57.6 Councillor Wells declared a personal but non prejudicial interest in relation to Item 59 in respect of Taxi Vouchers.
- 57.7 Councillor Harmer-Strange declared a personal but non prejudicial interest in relation to Item 59 in respect of Special Educational Needs.

58. MAYOR'S COMMUNICATIONS.

- 58.1 The Mayor asked the Council to stand and hold a minute's silence as a mark of respect for the death of Alderman Brennan Turner, who had represented Falmer and then Moulsecoomb Ward on Brighton Borough Council from 1971-1986.
- 58.2 Following the minute's silence, the Mayor reported that under Section 30(6) of the Local Government Act 1992 the Council had a duty to set the Council Tax by 10 March 2009. A failure to set a tax did not then in itself invalidate the tax demands but it had other adverse consequences including the potential loss of income to the Council. One significant practical implication is that the contractor who prints and sends out the Council Tax bills has a slot booked to process the City Council's bills and a delay in setting the Budget could have significant implications.
- 58.3 The Mayor invited the Monitoring Officer to draw council's attention to some of the key points in the procedural note that had been circulated.
- 58.4 The Monitoring Officer noted that the procedure agreed for the budget debate enabled the Administration to outline its budget proposals and for the various Groups to put forward up to six amendments. Following which there would be a general debate and then votes taken on each amendment and finally on the substantive proposals as proposed or as amended. He reminded the council of the need to set a balanced budget and whilst there was a situation of no overall control, he noted that Members had both a collective and individual responsibility to ensure that the process allowed for the setting of a balanced budget. He also noted that should any of the amendments put forward be approved, there may then be a need to adjourn the meeting to enable the Director of Finance & Resources to clarify the impact on the overall budget position.
- 58.5 The Mayor stated that there would not be a formal call over as she was aware that Members wished to discuss all three items under the Policy and Resources Committee proceedings. She also noted that a procedural note in relation to the Budget debate had been circulated, which she hoped Members would find helpful. In this respect she stated that it was intended that the Revenue Budget, the Capital Resources and Capital Investment Programme and the Housing Revenue Account Budget would be taken together in the one debate.
- 58.6 The Mayor then advised the council that Procedural Rules would need to be suspended to enable the business under Item 59 on the agenda to be dealt with as set out in the procedural note and moved the suspension accordingly.
- 58.7 **The Motion was carried.**
- 59. TO CONSIDER THE REPORTS AND RECOMMENDATIONS OF THE CABINET OF THE 12 FEBRUARY 2009 IN RESPECT OF:-**
59. (A) **Housing Revenue Account Budget 2009/10**
(B) **Capital Resources and Capital Investment Programme for 2009/10**
(C) **General Fund Revenue Budget and Council Tax 2009/10**
(D) **Supplementary Financial Information for Budget Council**

- 59.1 The Mayor referred to the procedural note that had been circulated and stated that he would first call upon Councillor Mears to move and Councillor Young to second the recommendations en bloc on all three Budget items as put forward by the Administration. Councillor Mears would have unlimited time and Councillor Young would be limited to 5 minutes.
- 59.2 He would then call Councillor Hamilton and Councillor Mitchell to formally move and second the Opposition Group's amendments en bloc. Councillor Hamilton would have unlimited time and Councillor Mitchell would be limited to five minutes.
- 59.3 He would then call on Councillor Randall and Councillor Kennedy to move the Green Group's amendments en bloc. Councillor Randall would have unlimited time and Councillor Kennedy would be limited to 5 minutes.
- 59.4 He would then call on Councillor Elgood and Councillor Watkins to move the Liberal Democrat Group's amendments en bloc. Councillor Elgood would have unlimited time and Councillor Watkins would be limited to 5 minutes.
- 59.5 The Mayor stated that following the moving and seconding of the various motions, he would open the matter to general debate where all councillors could speak either to the Administration's budget and/or the amendments.
- 59.2 The Mayor stated that following the general debate the council would then be asked to vote on the Labour Group's 5 amendments in turn; then on the Green Group's 6 amendments and finally on the Liberal Democrat Group's 3 amendments. The Mayor stated that following the voting on the amendments he would put the substantive motions (as amended as appropriate) to the vote. There would be separate votes on items 3(a), and 3(b), whilst items 3(c) & 3(d) would be taken together.
- 59.3 The Mayor stated that the Director of Finance & Resources and/or the Monitoring Officer could at any stage (but particularly after votes had been cast) choose to remind Members of the proposed substantive budget motion and its implications following the acceptance of any amendments.
- 59.4 The Mayor also noted that except as otherwise stated all Members would be limited to speaking for 5 minutes each unless an extension was granted.
- 59.5 The Mayor then called on Councillors Mears and Young to move the Administration's budget.
- 59.6 Councillor Mears thanked the Mayor and moved the Conservative Administration's budget as listed in the agenda. She noted that the budget was being put forward in what was an unprecedented economic climate and was pleased to be able to present a budget with the lowest rise in council tax of 3.5%. She wished to thank the officers involved in the budget process and also Councillor Young as the Cabinet Member for Finance. She also noted that the Audit Commission had recently upgraded the council in its criteria for the use of resources and value for money approach. She was aware that there were difficult issues to address in the coming months but felt that the budget framework would put the council in good stead for the future. She also stated that in

having regard to current economic climate, and whilst acknowledging the work of Independent Remuneration Panel, the Conservative Group had decided that they would not take any inflationary increase in their basic allowances this year.

- 59.7 Councillor Young formally seconded the Conservative Administration's budget. She noted that the work undertaken in the previous year had laid the foundations for the budget proposals before the council and that the long-term strategy was to reduce the level of council tax increase for future years. She also noted that it was intended to offer all residents over the age of 60 and under the age of 16 the chance to swim free for two years. She would continue to work with officers to maintain a firm financial footing for the council and invest in front-line services.
- 59.8 Councillor Hamilton moved the Labour Group's five amendments as detailed in the addendum which had been circulated prior to the start of the meeting. He stated that the budget presented was a standstill budget and expressed concern over the impact on the schools with regard to the equal pay proposals. He believed improvements were needed in the refuse and recycling collections and yet no action was being taken to address the failures that were evident given the number of complaints he had received.
- 59.9 Councillor Mitchell formally seconded the Labour Group's five amendments. She stated that the amendments put forward resulted from discussions with leading business and interest groups in the city and sought to offer improvements that would make a difference to residents and the city. She also wished to put her thanks on record to the finance officers for their assistance with the proposals.
- 59.10 Councillor Randall moved the Green Group's six amendments as detailed in the addendum which had been circulated prior to the start of the meeting. He wished to add his thanks to the officers concerned and hoped that the amendments proposed would be given consideration as they aimed to improve the quality of life for residents and address issues such as lowering the city's carbon footprint.
- 59.11 Councillor Kennedy formally seconded the Green Group's six amendments and stated that the intention was to address the issues of climate change and to protect vulnerable residents.
- 59.12 Councillor Elgood moved the Liberal Democrat Group's three amendments as detailed in the addendum which had been circulated prior to the start of the meeting. He stated that he was disappointed with the budget proposals put forward by the Administration and hoped that the amendments put forward would be given due consideration. He also wished to thank the finance officers for their assistance in developing the amendments that had been put forward. He noted the decision of the Conservative Group not to taken any inflationary increase in the level of basic allowances and stated that the Liberal Democrat Group would similarly forgo any increase for 2009/10, without wishing to prejudice the work and recommendations of the Independent Remuneration Panel.
- 59.13 Councillor Watkins formally seconded the Liberal Democrat Group's three amendments.
- 59.14 The Mayor then opened the matter up to a general debate and the following Members of the Council spoke on the various motions that had been put forward; Councillors

Meadows, Simpson, Steedman, Simson, Hawkes, Mears, Morgan, Cobb, Fryer, Oxley, Duncan and Wells.

59.15 The Mayor then stated as there were still a number of Members who had indicated a wish to speak, and having regard to the length of the meeting so far he wished to hold a 10 minute recess and adjourned the meeting at 6.55pm.

59.16 The Mayor reconvened the meeting at 7.05pm and reopened the general debate, during which the following Members spoke on the various motions that had been put forward; Councillors Smith, Wrighton, Caulfield, Watkins, Kitcat, Kennedy, Mrs. Brown, Wakefield-Jarrett, Theobald, McCaffery and Ken Norman.

59.17 The Mayor then called on Councillor Mears to reply.

59.18 Councillor Mears thanked the Mayor and noted that other Members had asked that the officers responsible for assisting with the drafting of the budget and the proposed amendments, in particular Mark Ireland and James Hengeveld, be thanked for their hard work and assistance given to all councillors. She therefore wished to add her thanks and to request that they be recorded. She then responded to the various points that had been raised in the debate and moved the Administration's budget proposals.

59.19 The Mayor then took each amendment in turn and put them to the vote as follows.

59.20 Labour Group Amendment 1

Open Hove Library on a Sunday between 10am and 4pm instead of a half day on a Monday, the additional cost is £50,000 per annum.

It is proposed this would be funded by reducing the additional provision of £100,000 for mowing by £46,000 per annum and allocating £4,000 per annum from the £150,000 investment fund to help deliver value for money initiatives identified in contingency.

59.21 **The motion was lost.**

59.22 Labour Group Amendment 2

Purchase one hot washer (pavement jet washer) for street cleansing to tackle heavily stained pavements and public areas and provide funding to operate and maintain it. The financing costs of this purchase are £18,000 per annum; to operate and maintain the washer is a further £36,000 per annum, £54,000 in total.

It is proposed this would be funded by reducing the additional provision of £100,000 for mowing by £54,000 per annum.

59.23 **The motion was lost.**

59.24 Labour Group Amendment 3

Allocate £106,000 per annum from the £150,000 investment fund to help deliver value for money initiatives identified in contingency as follows: -

- £30,000 per annum to expand the graffiti removal team.
- £50,000 per annum to increase noise patrols. These additional resources will allow for noise patrol shifts on Wednesdays and Thursdays in addition to the current patrols on Friday and Saturdays.
- £26,000 per annum to increase funding for youth service provision across the city. These additional resources will fund one additional full time youth worker.

59.25 The motion was lost.

59.26 Labour Group Amendment 4

Reject the saving proposal in Libraries and Museums to raise £23,000 per annum through voluntary donations. It is proposed to meet this saving by reducing the £150,000 investment fund to help deliver value for money initiatives identified in contingency by £23,000 per annum.

59.27 The motion was lost.

59.28 Labour Group Amendment 5

Reject £17,000 of the £26,000 saving as detailed in the Cultural Services budget proposals for Tourism within appendix 7. It is proposed to meet this saving by reducing the £150,000 investment fund to help deliver value for money initiatives identified in contingency by £17,000 per annum

Allocate the £149,000 one- off resources from the Local Authority Business Growth Incentive Scheme grant to:

- Provide a SWOT team to support local business £100,000.
- Provide marketing resources for the 0845 Business Links - £20,000.
- Provide additional support through the Citizens Advice Bureau for debt advice work - £9,000.
- Provide a series of procurement workshops for local businesses – £20,000.

59.29 The motion was lost.

59.30 Green Group Amendment 1

£10m to support energy efficiency measures across the city

The scheme will provide free loft and cavity insulation for properties across the city. These forms of insulation are the most significant in terms of energy saving and cost effectiveness. It is proposed the council will invest a maximum of £10m into the scheme. The cost of financing the scheme over 20 years is £775,000 per annum.

Linking the scheme to an energy supplier who has Carbon Emission Reduction Targets to reach can lever in substantial additional funding to make the scheme even more cost effective.

It is proposed that the additional costs of the scheme will be funded by an increase in council tax and basing the residents permit charges on CO2 emissions.

Increase Council Tax by 0.5% (i.e. 4.0% instead of 3.5% increase)

The additional increase will generate £550,000 per annum. This is equivalent to £5.95 per annum on a Band D property.

Resident permits based on CO2 emissions

The scheme would use a base permit charge of £106.

Proposed resident permit charges from 1 July 2009		
	% variation from flat rate of £106	Cost of permit
Cars registered after 1 March 2001 based on CO2 emissions:		
Band A	-100%	£0
Band B	-50%	£53.00
Band C	-10%	£95.40
Band D	+10%	£116.60
Band E	+30%	£137.80
Band F	+50%	£159.00
Band G	+200%	£318.00
Cars registered before 1 March 2001 based on engine size:		
Less than 1,549cc	-10%	£95.40
1,549cc to 2,274cc	+10%	£116.60
2,275cc to 3,000cc	+30%	£137.80
More than 3,000cc	+200%	£318.00

The introduction of a revised charging scheme will require a Traffic Order Notice with a period of consultation and therefore could not be implemented until 1st July 2009 so the additional income represents 9 months operation for the proposed scheme. In addition provision has been made for one-off costs for advertising and implementation as well as additional administrative costs in verifying the relevant CO2 banding for vehicles.

This proposal is estimated to generate net additional income £225,000 in 2009/10 and £367,000 in a full year.

Summary Table	£
Additional cost of borrowing £10m over 20 years for energy efficiency measures	£775,000
Additional revenue through 0.5% increase in Council Tax	(£550,000)
Additional revenue through introduction of CO2 based residents permit charges	(£225,000)

59.31 **The motion was lost.**

59.32 Green Group Amendment 2

Allocate £50,000 to provide a second full-time community worker in Turner and Eastern Road area (£35,000) and a part time domestic violence worker in Turner and Eastern Road (£15,000).

It is proposed this will be funded by reducing the additional provision of £100,000 for mowing by £50,000 per annum.

59.33 **The Mayor noted the vote was tied and therefore the motion was lost.**

59.34 Green Group Amendment 3

Allocate £25,000 to provide an additional noise patrol shift and increase the current number of shifts from 3 to 4.

It is proposed this will be funded by reducing the additional provision of £100,000 for mowing by £25,000 per annum.

59.35 **The Mayor noted the vote was tied and therefore the motion was lost.**

59.36 Green Group Amendment 4

Allocate £20,000 to produce a travel plan for the Varndean, Stringer and Balfour campus.

It is proposed this will be funded by reducing the additional provision of £100,000 for mowing by £20,000 per annum.

59.37 **The Mayor noted the vote was tied and therefore the motion was lost.**

59.38 Green Group Amendment 5

Reinstatement of the cut in the HIV/Aids supplies and services budget (£2,000) included within the Health Led S75 budget proposals detailed in appendix 7.

The introduction of the Albert Kennedy Trust Quality Assurance Mark with accreditation for the city's housing service. The scheme offers a model of best practice for working young people from the LGBT community (£3,000).

It is proposed these will be funded by reducing the additional provision of £100,000 for mowing by £5,000 per annum.

59.39 **The Mayor noted the vote was tied and therefore the motion was lost.**

59.40 Green Group Amendment 6

Allocate the £149,000 one-off resources from the Local Authority Business Growth Incentive Scheme grant to support and develop third sector groups who work with those with learning difficulties, physical disabilities and older people who need help to organise

their care needs through the Government's self-directed support initiative. The money will be spent over the next two years.

59.41 **The Mayor noted the vote was tied and therefore the motion was lost.**

59.42 Liberal Democrat Group Amendment 1

Open Hove Library on a Sunday between 10am and 4pm at an estimated cost of £108,000 funded by the deletion of the 3 political assistant posts.

59.43 **The motion was lost.**

59.44 Liberal Democrat Group Amendment 2

Delete the additional provision of £100,000 for mowing and use the money to fund 12,500 extra items per annum, including books, DVD's, talking books and reference materials, for the city's libraries.

59.45 **The Mayor noted the vote was tied and therefore the motion was lost.**

59.46 Liberal Democrat Group Amendment 3

Introduce an Energy Saving Smart Meter loan scheme in the Library Service. The smart meters monitor household energy use and help pinpoint areas where savings can be made.

The initial one-off cost of purchasing 250 units plus additional display stands for the libraries is estimated to be £18,000 with a further £20,000 to create an earmarked reserve to fund replacement units in future years. It is proposed to fund the total of £38,000 from the £149,000 LABGI resources identified in the budget report.

59.47 **The motion was lost.**

59.48 The Mayor then put the substantive motions for the Housing Revenue Account Budget (Item 40 (a)) to the vote.

59.49 **RESOLVED –**

- (1) That the Housing Revenue Account Budget for 2009/10, as set out in Appendix 1 to the report be approved;
- (2) That the individual rent increases and decreases in line with rent restructuring principles as determined by the Government be approved;
- (3) That the changes to fees and charges as detailed in paragraphs 3.14 to 3.20 of the report be approved;
- (4) That the Director of Adult Social Care & Housing be authorised to implement the new rents, fees and charges, but with delegated power to make any minor amendments which may appear to be appropriate in particular cases; and

- (5) That the Director of Adult Social Care & Housing be authorised to prepare and place on deposit the statement of proposals, estimates and other particulars as required by Section 76 of the Local Government and Housing Act 1989.

59.50 The Mayor then put the substantive motions for the Capital Resources and Capital Investment Programme for 2009/10 (Item 59(b)) to the vote.

59.51 **RESOLVED –**

- (1) That the Capital Investment Programme for 2009/10 be agreed and the estimated resources in future years as detailed in appendix 2 to the report be noted;
- (2) That the allocation of £0.65m resources in 2009/10 for the Strategic Investment Fund (SIF) be agreed with the allocation of the SIF resources as set out in paragraph 3.17 of the report;
- (3) That the allocation of £0.685m for the ICT fund be agreed;
- (4) That the allocation of £0.5m toward the Brighton Centre redevelopment reserve be agreed; and
- (5) That the potential use of unsupported borrowing as set out in table 4 of the report be agreed.

59.52 The Mayor then put the substantive motions for the General Fund Revenue Budget and Council Tax 2009/10 together with the Supplementary Financial Information (Items 59(c) and 59(d)) to the vote.

59.53 **RESOLVED –**

- (1) That subject to (3) below, the 2009/10 General Fund Revenue Budget proposals be approved including;
 - the 2009/10 budget allocations to services as set out in paragraphs 3.22 to 3.25 of the report and appendix 1 to the report;
 - the council's budget for 2009/10 of £219.0m;
 - the Directorate budget strategies as set out in appendix 7 to the report;
 - the corporate budgets of £9.2m;
 - the contingency budget of £3.6m as set out in table 7 of the report;
 - the reserves allocations as set out in appendix 4 to the report, including earmarking sufficient reserves to cover projected investment income losses over the next 3 years;
 - the borrowing limit of £317m for the year commencing 1st April 2009;
 - the annual Minimum Revenue Provision statement as set out in paragraphs 3.43 to 3.44 of the report;
 - the prudential indicators as set out in appendix 6 to the report;
 - that any LABGI grant is earmarked for the purposes set out in paragraph 3.17

- of the report;
- to increase the value of taxi vouchers to £65 as set out in paragraph 3.37 of the report;
 - the licensing fees and charges set out in appendix 8 to the report and the amendments to Culture, Recreation & Tourism fees and charges as set out in paragraph 3.14 of the report and appendix 9 to the report;
- (2) That the budget and resource projections for 2010/11 and 2011/12 based on council tax increases of 2.5% for each year as set out in appendix 5 to the report be noted;
- (3) That supplementary information needed to set the overall council tax as detailed in the report (Item 59(d)) be noted;
- (4) That the proposals made by the Chairman in response to the recommendations made by the Overview & Scrutiny Commission and agreed by the Cabinet at its meeting on the 12th February 2009 be noted:
- (i) That consideration would be given to including the fees and charges reports with the main budget reports, as part of the timetable for the next financial year;
 - (ii) That Opposition Leaders would be consulted about timings via the Leaders Group; and
 - (iii) That a report be drafted for the Overview & Scrutiny Commission detailing how other authorities prepare their budgets and that it should be mindful of any resource implications.
- (5) That it be noted the statutory budget and the Council Tax Resolution set out in the Supplementary Financial Information report (Item 59(d)), had been used as the basis for moving amendments at the meeting;
- (6) That any further LABGI grant awarded to the council be earmarked for the purposes as set out in paragraph 3.2 of the Supplementary Financial Information report (Item 59(d));
- (7) That it be noted that at its meeting on the 15th January 2009 the Council calculated the following amounts for the year 2009/2010 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992;
- (a) 92,511.63 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its council tax base for the year;
 - (b) Parts of the Council's Area

Rottingdean Parish –	1,488.25
Hanover Crescent Enclosure –	40.35
Marine Square Enclosure –	78.63
Royal Crescent Enclosure –	30.29

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate;

- (8) That the following amounts be now calculated by the Council for the year 2009/2010 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 ("the Act"):-

£687,649,196 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act net contingency, levies and "County-wide" services and special items:

Contingency – £3,628,000

Levies and "County-wide" services:-

£ 58,054 Environment Agency (Flood Defence)
£110,474 Sussex Sea Fisheries

Special expenses:-

£ 27,000 Rottingdean Parish
£ 6,470 Hanover Crescent Enclosure Committee
£ 15,251 Marine Square Enclosure Committee
£ 5,555 Royal Crescent Enclosure Committee
£ 54,276 Total of special items

- (a) £691,500,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act including contingency and special items;
- (b) £469,343,000 Income from Fees, Charges and specific Government grants;
£3,104,000 contribution from reserves;
- £472,447,000 being the aggregate of the amounts which the Council estimates for the items set out in section 32(3) 9a) to (c) of the Act;
- (c) £219,053,000 being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council in accordance with Section 32(4) of the Act as its budget requirements for the year;
- (d) £105,077,522 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates and revenue support grant and decreased by the amount of the sums which the Council estimates will be transferred in the year from its general fund to its collection fund in accordance with section 97(3) of the Local Government Finance Act 1988 (Council Tax deficit) and increased by the amount of any sum which the Council estimates will be transferred from its

collection fund to its general fund pursuant to directions under section 98(4) of the Local Government Finance Act 1988 (Community Charge Surplus);

- (e) £1,232.01 being the amount at 2(c) above less the amount at 2(d) above, all divided by the amount at 1(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year;
- (f) £54,276 being the aggregate amount of all special items referred to in Section 34(1) of the Act;
- (g) £1,231.42 being the amount at 2(e) above less the result given by dividing the amount at 2(f) above by the amount at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special items relates;
- (h) Parts of the Council's area

Rottingdean Parish -	£1,249.56
Hanover Crescent -	£1,391.77
Marine Square -	£1,425.38
Royal Crescent -	£1,414.81

being the amounts given by adding to the amount at 2(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for the dwellings in those parts of its area to which one or more special items relate;

(i)

Valuation Band: Parts of the Council's area	A*	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£	£
Rottingdean Parish	694.20	833.04	971.88	1,110.72	1,249.56	1,527.24	1,804.92	2,082.60	2,499.12
Hanover Crescent	773.21	927.85	1,082.49	1,237.13	1,391.77	1,701.05	2,010.33	2,319.62	2,783.54
Marine Square	791.88	950.25	1,108.63	1,267.00	1,425.38	1,742.13	2,058.88	2,375.63	2,850.76
Royal Crescent	786.01	943.21	1,100.41	1,257.61	1,414.81	1,729.21	2,043.61	2,358.02	2,829.62
All other parts of the councils area	684.12	820.95	957.77	1,094.60	1,231.42	1,505.07	1,778.72	2,052.37	2,462.84

*Entitled to disabled relief

being the amounts given by multiplying the amounts at 2(g) and 2(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the

Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

- (9) That it be noted that for the year 2009/2010 the Sussex Police Authority has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Valuation Band (£)								
A*	A	B	C	D	E	F	G	H
74.85	89.82	104.79	119.76	134.73	164.67	194.61	224.55	269.46

*Entitled to disabled relief

- (10) That it be noted that for the year 2009/2010 the East Sussex Fire Authority has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Valuation Band (£)								
A*	A	B	C	D	E	F	G	H
44.49	53.39	62.28	71.18	80.08	97.88	115.67	133.47	160.16

*Entitled to disabled relief

- (11) That having calculated the aggregate in each case of the amounts at 8(i), 9 and 10 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of council tax for the year 2009/2010 for each of the categories of dwellings shown below:-

Valuation Band: Parts of the Council's area	A*	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£	£
Rottingdean Parish	813.54	976.25	1,138.95	1,301.66	1,464.37	1,789.79	2,115.20	2,440.62	2,928.74
Hanover Crescent	892.55	1,071.06	1,249.56	1,428.07	1,606.58	1,963.60	2,320.61	2,677.64	3,213.16
Marine Square	911.22	1,093.46	1,275.70	1,457.94	1,640.19	2,004.68	2,369.16	2,733.65	3,280.38
Royal Crescent	905.35	1,086.42	1,267.48	1,448.55	1,629.62	1,991.76	2,353.89	2,716.04	3,259.24
All other parts of the councils area	803.46	964.16	1,124.84	1,285.54	1,446.23	1,767.62	2,089.00	2,410.39	2,892.46

*Entitled to disabled relief

The meeting concluded at 7.50pm

Signed

Chairman

Dated this

day of

WRITTEN QUESTIONS FROM COUNCILLORS**(a) Councillor Kitcat**

“Can Cllr Theobald detail in what circumstances residents or their landlords are charged by CityClean for the provision of receptacles for:

1. Waste collection,
2. Recycling collection?”

Reply from Councillor Theobald, Cabinet Member for Environment

(b) Councillor Kitcat

“Can Cllr Theobald detail the total amount spent by his department on purchases of communal bins in the financial year 2008/9 and also provide the per unit cost paid by the council for each type of model of bin including those with and without foot pedals?”

Reply from Councillor Theobald, Cabinet Member for Environment

(c) Councillor Steedman

“The Valley Gardens, stretching from the Level to the Old Steine, are a much-loved leisure resource for residents and the gateway to the city for many visitors, yet they are in a poor state of repair, isolated and divided by heavy traffic flows, inaccessible to pedestrians and choked by air and noise pollution. Fortunately the Council’s Local Transport Plan outlines a programme of works to transform the Valley Gardens into a fantastic new public space. A revitalised Valley Gardens would reconnect the islands of green space to create a new, accessible public park flowing down to the sea, and prioritise coherent pedestrian and cycling routes, as well as bus transport. It could integrate playgrounds, informal recreation, wildlife gardens and urban food growing. Can the Cabinet Member for the Environment reconfirm that they are committed to delivering this programme, with works beginning in this electoral term?”

Reply from Councillor Theobald, Cabinet Member for Environment

(d) Councillor Davey

“Would the Cabinet Member for Environment agree that it is vital that the local authority lead the way and make every effort to encourage its staff to travel by sustainable means such as walking, cycling and by public transport both to work and during the working day wherever possible?”

Reply from Councillor Theobald, Cabinet Member for Environment

(e) Councillor Davis

“Can the Cabinet member for Culture Recreation and Sports outline what steps are being taken to address the gaps identified in the recent Brighton and Hove Sports audit namely that Swimming, Indoor sports i.e. Badminton, Basketball, Volley ball, Indoor Bowls, and public access fitness activities are all lagging behind when compared to other Local Authorities’ provision.”

Reply from Councillor Smith, Cabinet Member for Culture, Recreation and Tourism

(f) Councillor Marsh

“Would the Cabinet Member for Children’s’ Services agree with me that the identification of Government resources to be used in improving the fabric of our schools and helping the local economy is always welcome?”

Reply from Councillor Mrs Brown, Cabinet Member for Children and Young People

(g) Councillor Kitcat

“Could Cllr Geoffrey Theobald clarify that in his response to my question on communal bin fire safety of 29th January 2009 he does indeed say that the Fire Authority has told the council through cabinet member Cllr Kemble that it has no concerns over the communal bins?”

Reply from Councillor Theobald, Cabinet Member for Environment

(h) Councillor Kitcat

“Can Cllr Geoffrey Theobald provide a list of the type and models of communal bins used by CityClean in the city and any other local authorities which use those types and models?”

Reply from Councillor Theobald, Cabinet Member for Environment

(i) Councillor Kitcat

“Could Cllr Geoffrey Theobald detail how many streets or parts of streets have been switched from weekly to fortnightly recycling collections? Could details of how these and other waste collection and recycling changes were planned be detailed?”

Reply from Councillor Theobald, Cabinet Member for Environment

(j) Councillor McCaffery

"I am sure all councillors appreciate the weekly information on English Gypsy, Irish Travellers and New Age Travellers In the city, but we lack information on progress on the establishment of 14 pitches, the number identified by SEERA and progress in East and West Sussex who already have 6 sites and 32 pitches and 10 sites and 106 pitches respectively. Both councils are required to add additional sites and pitches.

Would Cllr Mears please inform the Council what consultation has taken place with Travellers and their support organisations on size and location of the pitches, what consultation has taken or will take place with residents and what information is being given to all Councillors and whether any additional information will be given to the planning committee?"

Reply from Councillor Mears, Leader of the Council

(k) Councillor Mitchell

"Can the Cabinet Member set out the spending in the current financial year and for the financial years 2009/2010 and 2010/11 on the maintenance for sports changing rooms at council run and managed recreation grounds (i.e. Victoria Park Portslade, Patcham Place, Horsdean, Old Boat Corner, East Brighton Park, Waterhall, Braypool) where both football and cricket are played."

Reply from Councillor Smith, Cabinet Member for Culture, Recreation and Tourism

(l) Councillor Mitchell

"Can the Cabinet Member set out the spending plans for the maintenance and improvement of cricket pitches at council run and managed facilities over the last financial year and the next two years and what plans have the administration got to improve changing room facilities over the next two years."

Reply from Councillor Smith, Cabinet Member for Culture, Recreation and Tourism

(m) Councillor Fryer

"What percentage of eligible residents have taken up the Warm Front scheme and what percentage of the population of Brighton & Hove does this represent?"

Reply from Councillor Caufield, Cabinet Member for Housing

(n) Councillor Hawkes

“Would the Cabinet member for Children’s services explain why on 4th March, when the Government published the list of Local Authorities that had received myplace funding, Brighton and Hove was not listed. This is a grant which was earmarked as a 100% funded grant to improve the 67 Centre in Moulsecoomb. Did this Conservative led council miss out on much needed government funding for local youth services because the administration deviated from the government guidelines when applying for the bid?”

Reply from Councillor Mrs Brown, Cabinet Member for Children and Young People

(o) Councillor Wakefield-Jarrett

“Could the cabinet member for Central Services tell me what proportion of suspected benefit fraud cases are pursued in ways other than through the courts, and how this compares to national trends for action by local authorities where benefit fraud is suspected.”

Reply from Councillor Fallon-Khan, Cabinet Member for Central Services

Subject: **Report of the Independent Remuneration Panel on Members Allowances**

Date of Meeting: Governance Committee 10 March 2009
Council 19 March 2009

Report of: **Director of Strategy & Governance**

Contact Officer: Name: **Mark Wall** **Tel: 291006**

E-mail: mark.wall@brighton-hove.gov.uk

Wards Affected: All

For general release

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To receive the report of the Independent Remuneration Panel (IRP) as part of its current review of the Members' Allowances Scheme.

2. RECOMMENDATIONS

- 2.1 That the recommendations of the Independent Remuneration Panel, as set out in its report and attached as appendix A to the report be approved.
- 2.2 That the Chief Executive be authorised to amend the Brighton & Hove Members' Allowances Scheme to reflect the foregoing, to submit to Council for adoption, and to issue the revised scheme following council approval.
- 2.3 That the allowance payable to each of the members of the Independent Remuneration Panel continue to be increased by the council's salary inflation assumption of 2.3% for 2009 with effect from 15 May 2009, (i.e. the day after the Annual Council meeting), in recognition of their time commitment and their important role.

3 BACKGROUND/INFORMATION

- 3.1 In order to revise its Members' Allowances Scheme, the Council is required to have regard to the recommendations of the Independent Remuneration Panel. The Panel has taken the view that in line with the Local Authorities (Members' Allowances) (England) Regulations 2003 and the introduction of the new governance arrangements in May 2008, it should undertake a comprehensive review of the Members' Allowances Scheme and make recommendations to the Council in March 2010 on :

- (a) The level of Basic Allowance to be paid to all councillors;
- (b) The responsibilities for which Special Responsibility Allowances (SRAs) should be payable (only one Special Responsibility Allowance is payable per councillor);
- (c) The levels of SRA payable;
- (d) The payment of Travel & Subsistence Allowances and appropriate mileage and subsistence rates payable to councillors undertaking approved council duties;
- (e) The payment of a Co-optee's Allowance
- (f) The payment of Childcare & Dependant Carer's Allowances, the level of such payments and any upper limits that should apply.

3.2 The Panel has in accordance with its recommendations approved by Council in April 2008, begun its review of the Members Allowances Scheme and produced an interim report for information at this point in time.

3.3 The Panel has met with the Leader of the Council, Councillor Mary Mears, and undertaken a survey of all Members which it will be using to help to inform its review over the next 12 months.

4. CONSULTATION

4.1 As part of the 2008-10 review, the Panel has met with the Leader of the Council in order to gain a better understanding of the proposed council structures, the balance between decision-making and scrutiny and the levels at which individual positions can reasonably be set.

4.2 The recommendations of the Independent Remuneration Panel are being reported to Governance Committee where all party groups are represented, before being submitted to Full Council on 19 March 2009.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The proposed Members' Allowances revenue budget for 2009/10 has been set at £1,080,000 subject to agreement at budget council, the Members' Allowance only element will be £1,053,00 with the inclusion of provision made for national insurance and superannuation contributions based on the level of take up. The Basic Allowance of £11,205 will rise by 2.3% salary inflation to £11,463 giving a total of £619,002 plus on-costs for the full year.

5.2 With the full review of the Panel not due until March 2010, budget provision will need to be made in the 2010/11 Budget estimates for any possible increases in allowances back-dated to May 2009 and from May 2010.

Finance Officer Consulted: Anne Silley

Date: 10.02.09

Legal Implications:

- 5.3 The proposals in this report comply with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003 and associated guidance. There are no adverse Human Rights Act implications arising from this report.

Lawyer Consulted: Abraham Ghebre-Ghiorghis

Date:10.02.09

Equalities Implications:

- 5.4 The recommendations explicitly seek to encourage a wider cross-section of the community to become Councillors, and reduce the financial disincentives, which deter a broader spectrum of people from serving as Councillors.

Sustainability Implications:

- 5.5 There are no sustainability implications arising from this report

Crime & Disorder Implications:

- 5.6 There are no crime & disorder implications arising from this report.

Risk and Opportunity Management Implications:

- 5.7 There are no implications arising from this report.

Corporate / Citywide Implications:

- 5.8 There are no implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A: Report of the Independent Remuneration Panel

Background Documents

1. Previous reports of the Independent Remuneration Panel

**INTERIM REPORT OF THE
INDEPENDENT REMUNERATION PANEL**

**REVIEW OF MEMBERS' ALLOWANCES SCHEME
2008/09/10**

Members of the Panel:

**Simon Keane (Chair)
Samuel Barsam
Ken Childerhouse
Keith Hathaway
Jennifer Redman**

Brighton & Hove City Council

March 2009

1. CONTEXT FOR THE REVIEW

- 1.1 The Independent Remuneration Panel began the 2008/09/10 review of Members' Allowances on 7th November 2008 and the review will reach its conclusion when we make our recommendations for approval to Governance Committee and Full Council on 9th and 18th March 2010 respectively. We can report therefore that the Panel is submitting no recommendations to Council at this stage. The only possible change being that, in line with previous recommendations, the level of Basic Allowance could increase by the assumed salary inflation for 2009 and therefore rise by 2.3% from £11,205 to £11,463. However, the Panel are mindful of the current economic climate and the fact that it will be reporting in 2010 and therefore feel that any decision to take the inflationary increase at this time should be for the Council to determine.
- 1.2 The Members' Allowances Scheme 2008 remains as the authority's latest scheme; a copy is attached at Appendix 1. However, Members should note that the Panel may, if it chooses, backdate any changes to the allowances recommended in 2010 to May 2009.
- 1.3 This is the first review we have undertaken since the new governance arrangements came into effect in May 2008 and of necessity therefore, it will be extensive. The purpose of our report so early in the proceedings is to provide Members with information on the format of our review and to explain briefly the rationale behind it. It is also a statutory requirement for us to provide a written report to the council each year and for the council to publish that information. It should be recognised therefore that the Panel plays an important role in the relationship between the media, the public and the council when any amendments to the Members' Allowances Scheme are published or other relevant information disclosed.
- 1.4 The Panel's initial work programme was agreed on 16 January 2009 and this is attached for your information at Appendix 2. We hope you will find this a useful guide to our progress over the coming months. Members will note that we intend meeting monthly as we gather evidence from a variety of sources. As in the past, these sources will be wide-ranging and varied. We believe strongly that any recommendations we make must be open and transparent, we can account for any proposals we make and that they demonstrate good practice wherever possible. We will be considering methodology, public service principles and public expenditure.

2. RECOMMENDATIONS

- 2.1 That the Council note the Panel's interim report and its intention to report fully to the council in March 2010 on the outcome of its review of Members' Allowances; and
- 2.2 That the Council should determine whether or not to implement the potential increase to the Basic Allowance based on the assumed salary rate of inflation of 2.3%.

3. THE REVIEW

- 3.1 Firstly, the Panel would like to take this opportunity to thank Members for completing the survey on the levels of Basic and Special Responsibility Allowances which was circulated over the Christmas/New Year period. We appreciate the time you have taken to respond to our questions and we are able to report that we have received initial analysis of the data and that we will continue to gather and receive information from it throughout our review.
- 3.2 We have asked officers to circulate a summary of the findings from the survey either later this month or early next and we hope that this will give you an understanding of the type of information we are receiving. We will be asking individual Members to expand further on some of the common themes over the coming months.
- 3.3 One theme we have identified so far is the misconception amongst some Members that the levels of allowances could be compared in some way with the levels of staff salaries. However, the Members' Allowances Regulations (2003) indicate that there must be a public service element (PSE) for the allowances of an elected member which relates to the voluntary part of the role. We feel there is no link between the two and we will continue to base our recommendations on examples of good practice and national guidance.
- 3.4 We recognise that many new positions of additional responsibility came into effect last May when the council moved to a new-style of governance by adopting the Leader and Cabinet model. It is clear that we must listen to the comments and views of individual post-holders as well as receiving evidence from, and comparisons with, external sources if we are to learn first-hand of the impact of those changes. With this in mind we would like to meet informally with as many Members as possible throughout the review period.
- 3.5 In addition to these *new* positions of responsibility, we are aware that the changing roles of the opposition Members in terms of overview and scrutiny and backbench positions are of equal importance and we will be listening to both portfolio holders and backbench Members in order to widen the debate. There will be comparison and review at all levels.
- 3.6 In our 2007/8 Report we acknowledged the concerns expressed by some Members over the payment of expenses to cover childcare costs and stated that we wished to undertake a fuller review in 2008/9. In order to consider the matter in more detail we will be inviting those Members who are unhappy with the current arrangements to come along and talk to us more fully. As you will see from our work programme, this is likely to be during the autumn months.
- 3.7 In April 2008 we also received an expression of concern in relation to the non-payment of car mileage within the city boundary and although we are mindful of the sustainability implications of any change, we will be happy to look at the matter in more detail in or around January 2010.

4. PANEL INITIATIVE

- 4.1 Lastly, the Panel is pleased to report that the city council will be hosting an inaugural local authority event for Independent Remuneration Panels and their supporting officers in May 2009 when we expect to receive colleagues from around the country. This event is a Panel initiative and one we hope will be a valuable source of learning, information-sharing and networking for all delegates. We will be reporting on this event in our 2010 Annual Report to Full Council at the conclusion of the 2008-10 Review.

5. THE PANEL

Composition

- 5.1 The Independent Remuneration Panel (“the Panel”) shall consist of between three and five members appointed by the Monitoring Officer after consultation with the Chief Executive.

Functions of the Panel

- 5.2 The functions of the Panel shall be as set out in Regulation 21 of the Local Authorities (Members’ Allowances) (England) Regulations 2003, namely to produce a report in relation to members of the council, making recommendations as to:
- (a) the amount of basic allowance which should be payable to members;
 - (b) the duties in respect of which such members should receive a special responsibility allowance and the amount of such allowance;
 - (c) whether dependant carer’s allowance should be payable to members of the council, and the amount of such allowance;
 - (d) the responsibilities or duties in respect of which a travel and subsistence allowance should be available;
 - (e) the responsibilities or duties in respect of which a co-optees’ allowance should be available;
 - (f) whether payment of allowances may be backdated in accordance with regulation 10(6) in the event of the scheme being amended at any time;
 - (g) whether adjustments to the level of allowances may be determined according to an index and, if so, which index and how long that index should apply;
 - (h) which members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972;

- (i) treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable;
- (j) whether any allowances to members should be withheld in the event of the member concerned being suspended or partially suspended.

5.3 Where the Independent Remuneration Panel exercises its functions in relation to the Parish Council within the authority's area, its functions shall be as set out in Regulation 28 of the Local Authorities (Members' Allowances) (England) Regulations 2003, namely to produce a report in relation to members of the Parish Council making recommendations as to:

- (a) the amount of parish basic allowance which should be payable to Parish Council members;
- (b) whether parish basic allowance should be payable only to the chairman of the Parish Council or to all of its members;
- (c) whether, if parish basic allowance should be payable to both the chairman and the other members of any such authority, the allowance payable to the chairman should be set at a level higher than that payable to the other members and, if so, the higher amount so payable;
- (d) the amount of travelling and subsistence allowance payable to members of such authority;
- (e) the responsibilities or duties in respect of which members should receive parish travelling and subsistence allowance.

5.4 In addition to the functions under 5.2 and 5.3 above, the Panel may, if requested to do so by the Monitoring Officer, consider the expenses and allowances paid to the Mayor and Deputy Mayor under Sections 3 and 5 of the Local Government Act 1972.

5.5 The Panel has also, at the request of the Monitoring Officer, reviewed the level of allowances paid to non-voting co-optees who attend committee meetings, and made recommendations as to how these should be reimbursed.

Term of office of Panel Members

5.6 Members of the Panel shall be appointed for an initial term of three years. The Council may, at its discretion, extend this period. The Council or the Panel member may terminate the appointment by giving one month's notice.

Meetings

5.7 The Panel shall be chaired by a person appointed by the Panel members.

5.8 The Panel shall meet on such dates and at such times as the Panel may determine, having regard to the advice of the Monitoring Officer.

5.9 The quorum for meetings of the Panel shall be at least 50% of the members of the Panel.

BRIGHTON & HOVE CITY COUNCIL

MEMBERS' ALLOWANCES SCHEME

The Brighton & Hove City Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 2003, hereby makes the following Scheme:

1. This Scheme may be cited as the Brighton & Hove City Council Members' Allowances Scheme 2008 and shall have effect on and from 16 May 2008 unless stated otherwise.
2. In this Scheme,
 - “the council” means Brighton & Hove City Council;
 - “councillor” means a Member of the Brighton & Hove City Council who is a councillor;
 - “co-opted member” means a member of a committee or sub-committee of the council who is not a member of the authority;
 - “total estimated allowances” means the aggregate of the amounts estimated by the Responsible Finance Officer, at a time when a payment of Basic Allowance or Special Responsibility Allowance is made, to be payable under this Scheme in relation to the relevant year, and for this purpose any election under paragraph 11 shall be disregarded;
 - “year” means the 12 months ending with 31 March.
3. **Basic Allowance**
 - 3.1 Subject to paragraphs 10 and 11, for each year a Basic Allowance of £11,205 shall be paid to each councillor.
4. **Special Responsibility Allowances**
 - 4.1 For each year a Special Responsibility Allowance shall be paid to those councillors who hold the special responsibilities in relation to the council that are specified in Schedule 1 to this Scheme. These payments shall come into effect on and from 16 May 2008.
 - 4.2 Where a councillor holds more than one position of responsibility, only one Special Responsibility Allowance shall be paid, such an allowance being the higher or highest of the relevant allowances.

- 4.3 Subject to paragraph 11 and 12, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.

5. Attendance Allowance

- 5.1 No Attendance Allowance shall be payable.

6. Travel & Subsistence, Childcare & Dependant Carers' Allowances

- 6.1 Travel & Subsistence, Childcare & Dependant Carers' Allowances shall be paid to councillors and co-opted members in accordance with Schedule 2 to the Scheme.

7. Pensions

- 7.1 All eligible members of the Council may elect to join the Local Government Pension Scheme (LGPS) with effect from the first day of the month following the Council's receipt of the pensions option form.
- 7.2 Where members elect to join the Scheme, both the Basic Allowance and any Special Responsibility Allowance to which they may be entitled or may become entitled, shall be treated as amounts in respect of which a pension is payable.
- 7.3 The Local Government Pension Scheme and the Discretionary Compensation (Local Authority Members in England) Regulations 2003 shall apply to members who elect to join the LGPS.

8. Co-optee's Allowance

- 8.1 For each year a Co-optee's Allowance shall be paid to the Chairman of Standards Committee provided the post is held by an Independent Member.
- 8.2 For each year a Co-optee's Allowance shall be paid to the Deputy Chairman of Standards Committee provided the post is held by an Independent Member.

9. Withholding of allowances

- 9.1 Where payment of any allowance is due or has already been made in respect of any period during which the member concerned is
- (a) suspended or partially suspended from his/her responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000, or regulations made under that Part; or

- (b) ceases to be a member of the authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period,

the authority may withhold the payment of an allowance for that period or, as the case may be, require that such part of the allowance already paid as relates to any such period be repaid to the authority.

- 9.2 The term “member” in this paragraph covers both councillors and co-opted members.
- 9.3 Decisions as to the withholding or repayment of allowances under the above provisions shall be taken by the Standards (Local Determinations) Hearing Panel.

10. Renunciation

- 10.1 A councillor or a co-opted member may by notice in writing given to the Responsible Finance Officer elect to forego any part of his/her entitlement to an allowance under this Scheme.

11. Part-Year Entitlement

- 11.1 Subject to paragraph 11.7, the provisions of this paragraph shall have effect to regulate the entitlements of a councillor to Basic and Special Responsibility Allowances where, in the course of a year, this Scheme is amended or that councillor becomes, or ceases to be a councillor, or accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.
- 11.2 If an amendment to this Scheme changes the amount to which a councillor is entitled by way of a Basic Allowance or a Special Responsibility Allowance, then in relation to each of the periods:
 - (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect; or
 - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this Scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year.

- 11.3 Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a Basic Allowance shall be to the payment to such part of the Basic Allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.
- 11.4 Where the Scheme is amended as mentioned in sub-paragraph 11.2, and the term of office of a councillor does not subsist throughout the period mentioned in sub-paragraph 11.2(a), the entitlement of any such councillor to a Basic Allowance shall be to the payment of such part of the Basic Allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a councillor subsists bears to the number of days in that period.
- 11.5 Where a councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a Special Responsibility Allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- 11.6 Where this Scheme is amended as mentioned in sub-paragraph 11.2, and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 11.2(a) of that paragraph any special responsibilities as entitle him or her to a Special Responsibility Allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.
- 11.7 The provisions of this paragraph, subject to necessary modifications, shall apply to Co-optees' Allowances as if the reference to a "member" included a co-opted member.

12. Claims and Payments

- 12.1 Payments shall be made in respect of Basic and Special Responsibility Allowances, subject to sub-paragraph 11.2, in instalments of one-twelfth of the amount specified in this Scheme on the last day of each month (or the last working day before that day if it is not a working day).
- 12.2 Where a payment of one-twelfth of the amount specified in this Scheme in respect of a Basic Allowance or a Special Responsibility Allowance would result in the councillor receiving more than the amount to which,

by virtue of paragraph 11.6, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

- 12.3 The provisions of this paragraph shall apply to Co-optees' Allowances in the same way as they apply to Basic and Special Responsibility Allowances.

This Scheme was approved by Full Council at its meeting on 24 April 2008 and takes effect from 16 May 2008 unless stated otherwise.

SCHEDULE 1

Special Responsibility Allowances

Responsibility	SRA (£)
Cabinet	
Leader of the Council	28,758
Deputy Leader	17,254
Deputy Leader and Cabinet Member with portfolio	17,254
Cabinet Member with portfolio	10,927
Chairmen of Regulatory Committees	
Planning	10,927
Licensing (dual role)	8,626
Governance	8,626
Audit	8,626
Chairmen of Overview & Scrutiny Committees	
Overview & Scrutiny Commission	7,188
Adult Social Care & Housing OSC	7,188
Children & Young People OSC	7,188
Culture, Tourism & Enterprise OSC	7,188
Environment & Community Safety OSC	7,188
Health OSC	7,188
Deputy Chairmen of Regulatory Committees	
Planning	7,188
Licensing (dual role)	2,156
Governance	2,156
Audit	2,156
Deputy Chairmen of Overview & Scrutiny Committees	
Overview & Scrutiny Commission	2,156
Adult Social care & Housing OSC	2,156
Children & Young People OSC	2,156
Culture, Tourism & Enterprise OSC	2,156
Environment & Community Safety OSC	2,156
Health OSC	2,156
Other positions of additional responsibility	
Leader of the Opposition Group	13,803
Deputy Leader of the Opposition Group x 2	7,188
Convenor/Leader of Minority Groups (minimum of 10% of the seats on the council)	3,594

Representative to the Arts Commission x 2

2,156

Note :

- *The Cabinet shall comprise of not more than 10 Members made up of either*
 - *the Leader of the Council, two Deputy Leaders & Cabinet Members with portfolio plus seven Cabinet Members with portfolio, or*
 - *The Leader of the Council, one Deputy Leader & Cabinet Member with portfolio plus eight Cabinet Members with portfolio*
- *A maximum of two Deputy Leaders of the Opposition have been included in the Members' Allowances Scheme*
- *The remits and responsibilities of the Chairmen and Deputy Chairmen of the six Overview & Scrutiny Committees may change without requiring amendment to the Members' Allowances Scheme.*
- *Where a councillor holds more than one position of Special Responsibility, only one Special Responsibility Allowance shall be paid and this is the higher or the highest of the relevant allowances.*

Co-optees' Allowances

Chairman

Independent Chairman of Standards Committee

£4,313

Deputy Chairman

Independent Deputy Chairman of Standards Committee

(if the post is held by an independent member)

£548

Special Responsibility Allowances and Co-optees' Allowances are payable from 16 May 2008.

SCHEDULE 2

Approved Duties

Brighton & Hove City Council specifies the following as approved duties for the purpose of the payment of Travel, Subsistence and Childcare & Dependant Carers' Allowances.

1. Attendance at :

- (a) The council, cabinet, cabinet member meetings or any of its committees and sub-committees.
- (b) The bodies to which the council makes appointments or nominations at either Annual Council or Governance Committee including any committee or sub-committee of such a body.
- (c) The following meetings, the holding of which is authorised by the council, its cabinet or cabinet member meetings or any of its committees or sub-committees, or by any joint committee (or sub-committee thereof) of the council and any other authority, provided that it is a meeting to which councillors of at least two political groups of the council have been invited:
 - i) Meetings of the council's formally established consultative fora and partnerships, scrutiny review panels and select committees.
 - ii) Meetings with outside bodies in pursuit of economic development objectives which have been authorised by the council, its cabinet, cabinet member meetings or any of its committees or sub-committees.
 - iii) Councillors' tours of the authority's area which have been authorised by the council, its cabinet, cabinet member meetings or any of its committees or sub-committees.
 - iv) Internal training sessions organised and facilitated by officers of the council for the induction of councillors or for the better performance of their duties and responsibilities or to enable better understanding of the council's functions.

2. The following meetings of associations of authorities of which this authority is a member:

The Local Government Association and its committees

3. Any other duty, or class of duty approved by cabinet, cabinet member meetings or any committee, or officer of the council acting under delegated powers, such duty or class of duty to be for the purposes of or in connection with the discharge of the functions of the council, its cabinet, cabinet member meetings or its committees or sub-committees.

Payments in respect of the above approved duties shall be paid in accordance with the following rates:

A. Travel and Subsistence Allowance

Public Transport

Actual standard class rail fares (first class travel will only be reimbursed with prior agreement where councillors have to work on the journey).

Long distance travel undertaken by car will be reimbursed at the rail fare rate where this is a cheaper option.

Councillors purchasing their own rail tickets should provide their receipt or ticket when claiming reimbursement.

For local travel councillors may choose:

Either

- (a) an annual saver ticket valid for Brighton & Hove buses where bus fares would otherwise be payable (bus travel is free for those aged 60 and over travelling after 9.00am and the disabled),

Or

- (b) a combination of reimbursement of cycle mileage and (ticketed) bus travel

Or

- (c) reimbursement of cycle mileage and passes to the Lanes and Hove Town Hall Car Parks

Mileage Allowances

Motor mileage for attendance at approved council duties is payable for travel **outside** the city boundaries only, except in exceptional circumstances where the use of taxis/personal transport shall be permitted with the agreement of the Monitoring Officer for example by Members who have a disability or injury, or former mayors undertaking mayoral duties on behalf of the Mayor. Taxis may also be claimed in cases of urgency, meetings outside normal working hours (8.30am-6.30pm) or where there is no public transport available. Receipts must be provided. Motor mileage within the city's boundaries is deemed to be covered by the Basic Allowance.

All mileage is paid at Inland Revenue advisory rates and these will automatically be updated by the council to reflect any changes the Inland Revenue introduces. The current rates are -

Cars	40p per mile
Supplement for Passengers	5p per mile for each official passenger, up to a maximum of 4 passengers
Motor Cycle Allowance	24p per mile
Cycle Allowance	20p per mile

In addition, those Members opting for either (b) or (c) above may also take advantage of either the council's Bike Loan Scheme or the new Tax-free Bike Scheme and they will have access to the showering and secure lock-up facilities at three sites across the city.

Day Subsistence

Subsistence for approved council duties is payable for attendances **outside** the city boundaries only, except in exceptional circumstances. Where refreshments are not provided, subsistence costs within the city's boundaries are deemed to be covered by the Basic Allowance. Where claims can be made, eligibility is based on the time of day meals are taken and time away from home, as follows: -

Breakfast allowance	-	more than four hours' absence before 11.00am	£6.50
Lunch allowance	-	more than four hours' absence including 12 noon – 2.00pm	£8.50
Tea allowance	-	more than four hours' absence including 3.00pm – 6.00pm	£3.50

Evening Meal allowance-	more than four hours' absence ending after 7.00pm
£15.00	

Receipts should be provided for all subsistence claimed.

Overnight Subsistence

Where an overnight stay is required, overnight subsistence may be claimed up to a maximum of:

London/Conference Rate	not exceeding
£114.00	
Standard Rate	not exceeding
£100.00	

The above sums are for all subsistence received over a 24-hour period.

Meals on Trains

When main meals are taken on trains during a period for which there is an entitlement to day subsistence, the reasonable cost of the meals (including VAT) may be reimbursed in full, within the limits specified below.

The limitations on reimbursement are:

- (i) Absence of more than four but not more than eight hours, the cost of one main meal.
- (ii) Absence of more than eight hours but not more than 12 hours, the cost of two main meals.
- (iii) Absence of more than 12 hours, the cost of three main meals.

Where the cost of meals taken on trains is reimbursed, the rate of day subsistence for that period of duty shall not exceed the maximum payable if the period of absence from the usual place of residence were reduced by 4 hours in respect of each meal taken.

NOTE:

1. The council will not reimburse the cost of any alcohol purchased.
2. With effect from 1 September 2007 motor mileage within the authority's boundaries can only be claimed in exceptional circumstances and councillors should either use the bus or cycle within the city.

3. With effect from 1 September 2007 subsistence within the authority's boundaries can only be claimed in exceptional circumstances.

Travel and subsistence rates apply from 28 November 2003 and these have been re-affirmed by Full Council on 24 April 2008.

B. Childcare & Dependant Carers' Allowance

This is paid directly to the Carer -

Childcare	Up to the appropriate national minimum hourly wage capped at £1,200 p.a. per councillor and uplifted to reflect each increase imposed by the government. Any reimbursement must not exceed the actual amount charged by the carer.
children	Caring costs will be paid in respect of under the age of 14.
Dependant Care	Up to a maximum of £7.50 per hour capped at £1,200 p.a. per councillor. This allowance is payable for both children with severe disabilities and also dependent adult relatives.

Childcare & Dependant Carers' Allowance revised at Full Council on 12 July 2007 and this has been re-affirmed by Full Council on 24 April 2008.

SCHEDULE 3

Other Allowances

NB These allowances which do not form part of the Members' Allowances Scheme are included here for information only :

Mayoral Allowances

Mayor's Allowance for 2008/9	£12,048 pa
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Deputy Mayor's Allowance for 2008/09 pa	£3,373
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The Mayoral Allowances were approved by Full Council on 28 April 2005 and have been uplifted by inflation each year since, following the recommendations of the Independent Remuneration Panel.

Payments to Former Mayors duty	£35 per
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This is currently a flat rate allowance which is not subject to inflationary increases, although it is subject to further review as required by the Independent Remuneration Panel.

Payable from 16 May 2008

Independent Remuneration Panel

Members of the Independent Remuneration Panel (5) each	£511 pa
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Payable from 16 May 2008

INDEPENDENT REMUNERATION PANEL
WORK PROGRAMME FOR THE 2008/9 REVIEW

Date	Meeting/Event	Action/Information
7 November 2008 9.30am morning-only session 1st meeting	Panel meet to <ul style="list-style-type: none"> • appoint Chair • receive feedback from SE Regional Meeting • consider work programme and the format of the 2008/09 review 	Panel members to attend
November/December 2008 SURVEY	Officers prepare electronic survey for <ul style="list-style-type: none"> • circulation to all councillors before the Christmas break 	Panel members to comment and agree proposed questionnaire prior to circulation
12 January 2009 Survey responses	Deadline for survey responses	Officers to collate information received
16 January 2009 9.30am King's House morning-only session 2nd meeting	Panel meet to <ul style="list-style-type: none"> • receive initial survey results and discuss ideas/requirements • discuss draft work programme set by officers 	Panel members to attend
6 February 2009 9.30am King's House morning-only session 3rd meeting	Panel consider <ul style="list-style-type: none"> • further survey results • draft information report to Governance Committee/Council Panel meet <ul style="list-style-type: none"> • Leader of the Council 	Panel members to attend 10.00 – 10.30am
10 March 2009 report to Governance Committee	Panel submits information report to Governance Committee	For information only/Chair to attend (?)
19 March 2009 report to Full Council	Panel submits information report to Full Council	For information only/Chair to attend (?)

Date	Meeting/Event	Action/Information
27 March 2009 9.15am all-day session King's House 4th meeting	Panel meet with <ul style="list-style-type: none"> • Deputy Leaders with/out portfolio • Individual Cabinet Members Panel receive evidence of the levels of SRAs paid by other authorities	Panel members to attend
17 April 2009 9.30am all-day session King's House 5th meeting	Panel meet with <ul style="list-style-type: none"> • O&S Chairmen and their Deputies Panel to receive <ul style="list-style-type: none"> • Evidence of the levels of allowances paid to O&S Chairmen and their Deputies in other local authorities 	Panel members to attend
6 May 10.00am – 3.30pm	Unitary Authorities' IRP and Officers' all-day networking event hosted by Brighton & Hove	Panel members to attend
19 June 2009 9.30am all-day session King's House 6th meeting	Panel meet with <ul style="list-style-type: none"> • Regulatory Chairmen and their Deputies Panel receive <ul style="list-style-type: none"> • evidence of the levels of allowances paid to Regulatory Chairs and their Deputies in other local authorities 	Panel members to attend
24 July 2009 morning-only session King's House 7th meeting	Panel meet with <ul style="list-style-type: none"> • Leader of the Opposition • Deputy Leaders of the Opposition • Convenor/Leader of Minority Group • Leader of Liberal Democrat Group • Independent Member 	Panel members to attend
August	Summer break – no meeting	

Date	Meeting/Event	Action/Information
September (date tbc) half-day session 8th meeting	Panel meet with <ul style="list-style-type: none"> • Chairman of Standards Committee to consider level of Co-optee's Allowance • A group of backbench councillors 	Panel members to attend
October/November (date tbc) morning-only session 9th meeting	<ul style="list-style-type: none"> • Panel invite councillors to attend to discuss Child and Dependant Carers' Allowances 	Panel members to attend
January 2010 (date tbc) morning-only session 10th meeting	<ul style="list-style-type: none"> • Panel invite councillors to discuss travel and subsistence allowance. • Panel discuss first draft report 	Panel members to attend
February 2010 (date tbc) morning-only session 11th meeting	Panel finalise report for submission to	Panel members to attend
9 March 2010	IRP Report to Governance Committee	Chair to attend
18 March 2010	IRP Report to Full Council	Chair to attend

Subject:	Annual Investment Strategy 2009/10		
Date of Meeting:	Cabinet – 12 March 2009 Council – 19 March 2009		
Report of:	Interim Director of Finance & Resources		
Contact Officer:	Name:	Peter Sargent	Tel: 29-1241
	E-mail:	peter.sargent@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No. CAB 6521	
Wards Affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The Local Government Act 2003 introduced a prudential capital finance system whereby levels of borrowing and investments are decided locally by each council.
- 1.2 Guidance issued under the Act requires a local authority to approve an annual investment strategy which gives priority to security and liquidity and requires the council to set out:
 - its policy on determining the credit-worthiness of its investment counterparties and the frequency at which such determinations are monitored;
 - its policy on holding investment instruments other than deposits held in financial institutions or government bodies;
 - its policy on determining the maximum periods for which funds may be invested;
 - its policy on the minimum level of investments to be held at any one time.
- 1.3 The purpose of this report is to seek Cabinet approval to the Annual Investment Strategy 2009/10 and to recommend the Strategy to full Council for adoption at its meeting on 19 March 2009.

2. RECOMMENDATIONS:

- 2.1 Cabinet is recommended to:
 - agree the Annual Investment Strategy 2009/10 as set in Appendix 1 to this report; and
 - recommend Council to approve the Strategy at the meeting on 19 March 2009.
- 2.2 Council is recommended to approve the Annual Investment Strategy 2009/10 as set out in Appendix 1 to this report.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Annual Investment Strategy (AIS) for 2009/10 is set out in Appendix 1 to this report and covers investments made by the in-house treasury team and the council's external cash manager. The council uses a cash manager to take advantage of investment opportunities in specialist markets not covered by the in-house team, such as government stock. The AIS gives priority to security and liquidity.
- 3.2 Security is achieved by selecting only those institutions that meet stringent credit rating criteria or, in the case of non-rated UK building societies, have a substantial asset base. For the purpose of determining credit rating the council uses independent credit rating agencies. Rating criteria is only one factor taken into account in determining investment counterparties. Other sources, such as the financial press, will continue to be monitored and action will be taken where it is felt the risk attached to a particular counterparty has or is likely to worsen. Action will include the suspension of a counterparty in appropriate circumstances.
- 3.3 Liquidity is achieved by limiting the maximum period for investment.
- 3.4 The AIS, along with many other investment strategies, has been severely tested over the past 18 months as the financial markets continue to suffer from liquidity shortfalls and increased risk. The flexibility and robustness of the AIS has enabled the Director of Finance & Resources to implement changes that limited the council's exposure to the increased market risk. All money due to the council on investment was received in full and on time. This flexibility and robustness has been replicated in the AIS for 2009/10.
- 3.5 In response to the continuing crisis in the financial markets the AIS 2009/10 introduces a change to the method for selecting investment counterparties and the setting of investment parameters. With effect from 1 April 2009 the creditworthiness of an institution will be assessed by applying the lowest rating issued by the three main rating agencies – Fitch, Moody's and Standard & Poor's. In the majority of cases the ratings issued by the three agencies are aligned – however in recent months this has not always been the case and by adopting this slight change the council will always have the most up-to-date independent assessment.
- 3.6 One other change introduced in the AIS is an increase in the minimum asset base for building societies that are not rated, increased from £2bn to £3bn.

4. CONSULTATION

- 4.1 Following the collapse of the Icelandic Banks in October 2008, and the implications this event had for local authority investments, a number of high profile inquiries / reviews have been commissioned.
- The Chartered Institute of Public Finance & Accountancy is currently reviewing the Code of Practice for Treasury Management, particularly around risk management.
 - The Audit Commission is currently reviewing the investment strategies and practices adopted by local authorities.
 - The Department for Communities & Local Government has set up a Select Committee to inquire into the general principles involved in local authorities' treasury management. The Committee has received both written and oral evidence from a wide selection of participants, including local authorities, advisors and government officials.
- 4.2 All the above inquiries are on-going and consequently no formal responses have been received. However, without prejudging the outcome of these inquiries, it is possible that local authorities will be consulted on proposals to change the investment procedures adopted by local authorities.
- 4.3 The AIS 2009/10 is based on the existing codes of practice and investment guidance. Any changes needed to the AIS as a result of the inquiries will be reported to Cabinet and full Council.
- 4.4 The council's external treasury advisor has been consulted. No other consultation has been necessary.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The financial implications arising from the recommendations in this report are included in the Financing Costs budget.

Finance Officer consulted: Peter Sargent Date: 12 February 2009

Legal Implications:

- 5.2 The council must have regard to the guidance issued by the Secretary of State in determining its policies for investment. The Director of Finance & Resources is satisfied that the recommendations in this report are consistent with the guidance issued.
- 5.3 There are no direct human rights implications arising from this report.

Lawyer consulted: Abraham Ghebre-Ghiorghis Date 17 February 2009

Equalities Implications:

- 5.4 None directly arising from this report.

Sustainability Implications:

- 5.5 The council's ethical investment statement requests that institutions apply council deposits in a socially responsible manner.

Crime & Disorder Implications:

- 5.6 None directly arising from this report

Risk & Opportunity Management Implications:

- 5.7 The investment guidance issued under the 2003 Act requires the council to assess credit worthiness by reference to an independent rating agency. The AIS 2009/10 will use the ratings assigned by Fitch, Moody's and Standard & Poor's.
- 5.8 The ratings provide an opinion on the relative ability of an institution to meet financial commitments, such as interest, preferred dividends, repayment of principal, insurance claims or counterparty obligations. The council uses credit ratings as an indication of the likelihood of receiving its' money back in accordance with the terms of the investment. Other sources of information are used to supplement that provided by the rating agencies.
- 5.9 The minimum ratings set out in the AIS have the following meaning:

	<u>Generic criteria</u>	<u>Fitch</u>	<u>Moody's</u>	<u>Standard & Poor's</u>
Short-term	Strong capacity for timely payment of financial commitments Where the credit risk is particularly strong, a "+" is added to the assigned rating	F1	P-1	A-1
Long-term	Very strong capacity for payment of financial commitments. This capacity is not significantly vulnerable to foreseeable events.	AA-	Aa3	AA-

- 5.10 Investment risk is managed by selecting only institutions that meet the council's stringent credit rating criteria. Liquidity risk is managed by applying maximum investment periods to institutions.

Corporate / Citywide Implications:

- 5.11 Investment income is a resource used by the council to fund revenue expenditure. The recommendations in this report will help to minimise capital risk whilst optimising investment returns over both the short and longer term.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 This report sets out the council's annual investment strategy for the year commencing 1 April 2009. The AIS continues with the strong emphasis on risk management and liquidity, two cornerstones to the guidance issued by the Secretary of State and the impact these have on investment performance.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Guidance issued under the Local Government Act 2003 requires the council to approve an annual investment strategy. This report fulfils that requirement.

SUPPORTING DOCUMENTATION

Appendix:

1. Annual Investment Strategy 2009/10

Documents in Members' Rooms

None

Background Documents

1. Guidance issued by the Secretary of State under Section 15(1)(a) of the Local Government Act 2003
2. The Prudential Code for Capital Finance in Local Authorities published by CIPFA 2003

Brighton & Hove City Council
Annual Investment Strategy 2009/2010

This Strategy complies with guidance issued by the Secretary of State on investments.

The following sets out the council's policy on investment criteria and counterparties. It should be noted that the minimum criteria set out in this document is only one factor taken into account for the investment of council funds. Other factors, such as Government guarantees and support and information available from the financial press and similar publications will also be taken into account when determining investment decisions. Counterparties that satisfy the minimum criteria are not automatically included on the council's approved investment list.

1 Criteria to be used for creating / managing approved counterparty lists / limits

Each counterparty included on the council's approved lending list must meet the criteria set out below. Without the prior approval of the council, no investment will be made in an instrument that falls outside the list below.

1.1 Capital security

Table 1 sets out the minimum capital security requirements for an investment to be made.

<u>Table 1 – Minimum capital security requirements</u>	
Banks/building societies with a credit rating	the institution must have a minimum short term rating of highest credit quality
Building societies that do not satisfy the minimum rating criteria above	the society must have an asset base in excess of £3 billion
Money market funds	the rating of the fund meets the minimum requirement of triple A ('AAA' / Aaa)
Debt Management Account Deposit Facility	the deposit is made in accordance with the rules and regulations relating to such investment as issued by the Debt Management Office from time to time

1.2 **Maximum permitted investment by sector**

Table 2 sets out the maximum permitted investment for each sector.

<u>Table 2 – Maximum permitted investment by sector</u>	
<u>Sector</u>	<u>%age of total investment portfolio at the time the investment made</u>
Banking sector	100%
Building society sector	75%
Local authority sector	75%
Money market funds	75%
Debt Management Account Deposit Facility	50%
Maximum amount invested for more than 1 year	25% (excl funds administered by external cash manager)

1.3 **Maximum permitted investment by counterparty**

1.3.1 **General**

With the exception of money market funds and the Debt Management Account Deposit Facility no one counterparty may have more than 75% of the relevant sector total at the time the investment is made.

1.3.2 **Rated counterparties**

Table 3 sets out the exposure limits and maximum periods for deposits based on various credit ratings.

<u>Table 3 – Exposure limits and maximum periods per counterparty (with rating)</u>				
<u>Rating</u>	<u>A rating of at least (lowest of Fitch (F) / Moody's (M) / Standard & Poor's (SP))</u>			
Short-term	F = F1+ M = P-1 SP = A-1+	F = F1+ M = P-1 SP = A-1+	F = F1+ M = P-1 SP = A-1+	F = F1 M = P-1 SP = A-1
Long-term	F = AA+ M = Aa1 SP = AA+	F = AA- M = Aa3 SP = AA-	n/a	n/a
Exposure Limit	£10m	£10m	£10m	£5m
Maximum period – fixed deposits	3 years	2 years	1 year	1 year
Maximum period – negotiable instruments	5 years	5 years	1 year	1 year

In addition investment in money market funds and open ended investment companies with a rating of 'triple A' (i.e. AAA / Aaa) is permitted up to a value of £10 million per fund.

The only exception to Table 3 is investment in the council's banker, the Co-operative Bank plc. The maximum period and exposure limit for investment in this bank will be one month and £10 million respectively.

1.3.3 Non-rated counterparties

Table 4 sets out the exposure limits and maximum periods for deposits for counterparties that are not rated.

<u>Table 4 – Exposure limits and maximum periods per counterparty / fund (with no rating)</u>		
<u>Counterparty</u>	<u>Exposure Limit</u>	<u>Maximum period</u>
Local authority	£5 million	1 year
Non-rated building society with an asset base in excess of £3bn	£5 million	6 months
Debt Management Account Deposit Facility	£10 million	6 months

1.3.4 Cash manager

For the purposes of investments made by the council's external cash manager, the criteria in Table 5 will apply:

<u>Table 5 – Exposure limits and maximum periods per counterparty (Cash manager)</u>		
<u>Instrument</u>	<u>Exposure Limit</u>	<u>Maximum period</u>
Government stock	100% of Fund	10 years
Supra-national with minimum long-term rating of 'AA-' / Aa3 / AA-	100% of Fund	10 years
Regulation collective investment schemes	100% of Fund	n/a
Fixed term investments – minimum short-term rating of 'F1 / P-1 / A-1'	10% of Fund or £2.5m whichever is the greater	1 year
Fixed term investments – minimum long-term rating of 'AA- / Aa3 / AA-'	10% of Fund or £2.5m whichever is the greater	5 years

In addition to Table 5 the maximum average duration of the fund managed by the cash manager shall not exceed 4 years. All instruments used by the cash manager with a maturity of 3 months or more shall be negotiable.

1.4 Investment classification (regulatory)

The investment guidance issued by the Secretary of State requires the council to identify investments as either 'specified' or 'non-specified'. Table 6 sets out the requirements for each type.

<u>Requirement</u>	<u>Specified</u>	<u>Non-specified</u>
Currency	Must be in Sterling	Any currency other than Sterling
Maturity period	Up to 12 months	Over 12 months
Credit worth	Counterparty with high credit rating or UK government or local authority	Other

All investments made by the council are denominated in Sterling and are made only in counterparties with a high credit worth (as set out in paragraph 1.3 above).

The use of non-specified investments is limited to (a) investment in non-rated building societies with an asset base in excess of £3bn or (b) investments for longer than 12 months in counterparties that meet the minimum long-term rating detailed in Tables 3 and 5 above.

2 Approved methodology for changing limits and adding / removing counterparties

A counterparty shall be removed from the council's list where a change in their credit rating results in a failure to meet the criteria set out above.

A new counterparty may only be added to the list with the written prior approval of the Director of Finance & Resources and only where the counterparty meets the minimum criteria set out above.

A counterparty's exposure limit will be reviewed (and changed where necessary) following notification of a change in that counterparty's credit rating or a view expressed by the credit rating agency warrants a change.

A counterparty's exposure limit will also be reviewed where information contained in the financial press or other similar publications indicates a possible worsening in credit worth of a counterparty. The review may lead to the suspension of a counterparty where it is considered appropriate to do so by the Director of Finance & Resources.

3 Full individual listings of counterparties and counterparty limits

A full list of counterparties in which the council will invest surplus funds, together with limits and maximum investment periods is contained in Schedule 1 to this AIS.

There is no pre-determined list for investments made by the cash manager but all counterparties must meet the minimum criteria as set out in Table 5 above.

4 Details of credit rating agencies' services

Credit ratings will be based on those issued periodically by the Fitch Ratings Group, Moody's and Standard & Poor's.

5 Permitted types of investment instrument

All investments must be denominated in Sterling.

The in-house treasury team may invest in fixed term and variable term cash deposits, money market funds and open ended investment companies. The in-house treasury team may only invest in negotiable instruments where to do so offers additional value in terms of investment return and appropriate and supporting advice has been sought from the council's external treasury advisors on the suitability of such an investment.

The cash manager may invest in government stock, supranational institutions, regulation collective investment funds and fixed term instruments. All investments with a maturity of 3 months or more shall be negotiable.

6 Ethical investment statement

The council has approved the following ethical investment statement that will apply to all cash investments made by, or on behalf of, the council

"Brighton & Hove City Council, in making investments through its treasury management function, fully supports the ethos of socially responsible investments. We will actively seek to communicate this support to those institutions we invest in as well as those we are considering investing in by:

- *encouraging those institutions to adopt and publicise policies on socially responsible investments;*
- *requesting those institutions to apply council deposits in a socially responsible manner."*

Counterparties shall be advised of the above statement each and every time a deposit is placed with them.

7 Glossary

Long-term – period in excess of 12 months

Negotiable instrument – an investment where the council can receive back the amount invested earlier than originally agreed (subject to conditions)

Non-specified investment – see Table 6 above

Short-term – period up to and including 12 months

Specified investment – see Table 6 above

Supra-national – an organisation that encompasses more than one nation, such as the World Bank

Brighton & Hove City Council
Banks and Other Institutions
Annual Investment Strategy 2009/2010
In-house Treasury Team

Note - Ratings as advised by Butlers 17 February 2009

<u>Counterparty</u>	<u>Specified/ Non- specified</u> ¹	<u>Short-term</u> F = Fitch M = Moody's SP = Standard & Poor's			<u>Long-term</u> F = Fitch M = Moody's SP = Standard & Poor's			<u>Max amo- unt</u>	<u>Max period – fixed deposits</u> ²
		F	M	SP	F	M	SP		
<u>AUSTRALIA</u>									
Australia & New Zealand Banking Group	Both (*)	F1+	P-1	A-1+	AA-	Aa1	AA	£10m	2 years
Commonwealth Bank of Australia	Both (*)	F1+	P-1	A-1+	AA	Aa1	AA	£10m	2 years
National Australia Bank	Both (*)	F1+	P-1	A-1+	AA	Aa1	AA	£10m	2 years
<u>BELGIUM</u>									
Dexia Bank	Specified	F1+	P-1	A-1	AA-	A1	A	£5m	1 year
Fortis Bank	Specified	F1+	P-1	A-1	A+	A1	A	£5m	1 year
KBC Bank	Specified	F1	P-1	A-1	A+	Aa3	A+	£5m	1 year
<u>CANADA</u>									
Bank of Montreal	Specified	F1+	P-1	A-1	AA-	Aa1	A+	£5m	1 year
Bank of Nova Scotia	Both (*)	F1+	P-1	A-1+	AA-	Aa1	AA-	£10m	2 years
Canadian Imperial Bank of Commerce	Specified	F1+	P-1	A-1	AA-	Aa2	A+	£5m	1 year
National Bank of Canada	Specified	F1	P-1	A-1	A+	Aa2	A	£5m	1 year
Toronto-Dominion Bank	Both (*)	F1+	P-1	A-1+	AA-	Aaa	AA-	£10m	2 years
<u>GERMANY</u>									
Deutsche Bank AG	Specified	F1+	P-1	A-1	AA-	Aa1	A+	£5m	1 year
HSH Nordbank	Specified	F1	P-1	A-1	A	Aa3	A	£5m	1 year
Landesbank Baden-Wuerttemberg	Specified	F1+	P-1	A-1	A+	Aa1	A+	£5m	1 year
Nordeutsche-Landesbank Giro	Specified	F1	P-1	A-1	A	Aa2	A	£5m	1 year
<u>IRELAND</u>									
Anglo Irish Bank	Specified	F1+	P-1	A-1	A-	A2	A-	£5m	1 year
Bank of Ireland	Specified	F1+	P-1	A-1	A	Aa3	A	£5m	1 year
<u>ITALY</u>									
Intesa Sanpaolo	Both (*)	F1+	P-1	A-1+	AA-	Aa2	AA-	£10m	2 years

¹ see para 1.4 of main report – distinction is a requirement under the investment regulations

² for negotiable instruments maximum period should read '5 years' instead of '2 years' and '3 years'. All other periods remain the same

Uni Credito Italiano	Specified	F1	P-1	A-1	A+	Aa3	A+	£5m	1 year
<u>SWEDEN</u>									
Svenska Handelsbanken	Both (*)	F1+	P-1	A-1+	AA-	Aa1	AA-	£10m	2 years
<u>UK BANKS</u>									
Abbey National plc	Both (*)	F1+	P-1	A-1+	AA-	Aa3	AA	£10m	2 years
Alliance & Leicester	Both (*)	F1+	P-1	A-1+	AA-	Aa3	AA	£10m	2 years
Allied Irish Bank (GB)	Specified	F1+		A-1	A		A	£5m	1 year
Barclays	Both (*)	F1+	P-1	A-1+	AA-	Aa3	AA-	£10m	2 years
Clydesdale Bank	Both (*)	F1+	P-1	A-1+	AA-	Aa3	AA-	£10m	2 years
Co-operative Bank plc	Specified	F1	P-1		A	A2		£10m	1 mth
HSBC Bank plc	Both (*)	F1+	P-1	A-1+	AA	Aa1	AA	£10m	2 years
Lloyds TSB Bank	Both (*)	F1+	P-1	A-1+	AA-	Aa3	AA-	£10m	2 years
Bank of Scotland	Both (*)	F1+	P-1	A-1+	AA-	Aa3	AA-	£10m	2 years
Royal Bank of Scotland	Specified	F1+	P-1	A-1	AA-	Aa3	A+	£5m	1 year
<u>UK BUILDING SOCIETIES (**)</u>									
Britannia (2)	Non-Specified	F2	P-1	A-2	A-	A2	A-	£5m	6 mths
Chelsea (5)	Specified	F1	P-1		A-	A2		£5m	1 year
Coventry (4)	Specified	F1	P-1		A	A2		£5m	1 year
Dunfermline (12)	Non-Specified		P-2			Baa2		£5m	6 mths
Leeds (8)	Specified	F1	P-1		A	A2		£5m	1 year
Nationwide (1)	Specified	F1+	P-1	A-1	AA-	Aa2	A+	£5m	1 year
Newcastle (10)	Non-Specified	F1	P-2	A-2	A-	A3	BBB+	£5m	6 mths
Norwich & Peterborough (11)	Specified	F1	P-1		A-	A2		£5m	1 year
Nottingham (14)	Non-Specified							£5m	6 mths
Principality (9)	Non-Specified	F2	P-2		A-	A3		£5m	6 mths
Skipton (6)	Specified	F1	P-1		A	A2		£5m	1 year
Stroud & Swindon (13)	Non-Specified							£5m	6 mths
West Bromwich (7)	Non-Specified	F2	P-2		A-	A3		£5m	6 mths
Yorkshire Society (3)	Specified	F1	P-1	A-1	A	A2	A	£5m	1 year
<u>IRELAND BUILDING SOCIETIES</u>									
EBS	Specified	F1+	P-1		BBB	A2		£10m	1 year
<u>OTHER</u>									
Other Local Authorities	Specified							£5m	1 year
Debt Management Acc	Specified							£10m	6 mths
Deposit Facility									

(*) investments repayable within 12 months are classified as 'Specified', investments for a longer period are classified as 'Non-specified'

(**) UK Building Societies ranking by Total Asset size – Source: BSA factsheet January 2009

COUNCIL

19 March 2009

Agenda Item 70

Brighton & Hove City Council

Subject:	Matters Exempt from call-in: Reported for Information		
Date of Meeting:	19 March 2009		
Report of:	Director of Strategy & Governance		
Contact Officer:	Name:	Mark Wall	Tel: 29-1006
	E-mail:	mark.wall@brighotn-hove.gov.uk	
Key Decision:	Yes/No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To report to Council those matters considered by the decision-making bodies that were identified as being exempt from call-in as a result of urgency in accordance with the Overview & Scrutiny procedural rule 17.

2. RECOMMENDATIONS:

- 2.1 That the application of the exemption from call-in in relation to Item No.177 (Newhaven Site) considered by the Cabinet at a special meeting on the 3rd March 2009 be noted.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Overview & Scrutiny Procedural Rules require a report to be made to the Council in relation to those decisions taken whereby the call-in process would not apply for reasons of urgency.
- 3.2 The report concerning the Integrated Waste Management Services Contract – Acquisition of an Extended Head Lease at the Newhaven Waste Site – exempt Category 3, was considered to be urgent in view of the need to reach a negotiated settlement on the proposed acquisition of the extended lease. It was regarded that any delay by way of a call-in would have prevented officers from finalising those negotiations and risk losing the opportunity to acquire the site with its significant financial advantages to the council.

4. CONSULTATION

- 4.1 All the Group Leaders were consulted about the intention to exempt the matter from call-in.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications arising directly from this report.

Finance Officer Consulted: Nigel Manvell, S151 Officer Date: 05/03/09

Legal Implications:

- 5.2 The council's procedural rules require a report to be made to the next available council meeting on any matters where a decision has been taken and they were deemed to be exempt from call-in as for reasons of urgency.

Lawyer Consulted: Abraham Ghebre-Ghiorghis Date: 05/03/09

Equalities Implications:

- 5.3 There are none arising directly from this report.

Sustainability Implications:

- 5.4 There are none arising directly from this report.

Crime & Disorder Implications:

- 5.5 There are none arising directly from this report.

Risk & Opportunity Management Implications:

- 5.6 There are none arising directly from this report.

Corporate / Citywide Implications:

- 5.7 There are none arising directly from this report.

SUPPORTING DOCUMENTATION

Appendices:

None

Background Documents

None

NOTICE OF MOTION**CONSERVATIVE GROUP****AUTOMATIC RATE RELIEF FOR SMALL BUSINESSES**

“This Council notes that:

1. Business rates are the third largest cost to small firms, after salaries and rent. Yet, many small businesses are unaware of, or do not apply for, the rate relief to which they are entitled.
2. In England more than half of small businesses miss out on claiming back up to £1,200 off their business rates.
3. Every year, around £400 million – calculated and ear-marked by the Treasury for eligible businesses – goes unclaimed, even though this money poses no extra cost to the Government or tax payer.
4. Automatic rate relief is currently available to small firms in Wales but not in England.

In January 2009, it was estimated that there were over a 1,000 small businesses in Brighton & Hove that could be eligible for rate relief but were not claiming. This meant that local small firms could be losing up to one million pounds in revenue to the Government.

This Council welcomes the current Administration’s recognition of the low uptake of rate relief by local small firms and the action it has taken to promote awareness and increase uptake.

However, this Council considers that all qualifying small businesses should be entitled to **automatic** rate relief. This would provide them with much needed additional financial resources during the recession. Furthermore, it would save both small firms and local billing authorities time and money applying and operating the current complex application system.

Therefore this Council:

1. Supports the automatic rate relief campaign started by the Federation of Small Businesses.
2. Welcomes the ‘Small Business Rate Relief (Automatic Payment) Bill’ tabled by Peter Luff MP and hope to see it made law.

This Council instructs the Chief Executive to:

1. Write to Lord Mandelson, the Secretary of State for Business, Enterprise and Regulatory Reform requesting that he introduce automatic rate relief for small businesses.
2. Write to Brighton & Hove's three MPs calling upon them to sign the current Early Day Motion supporting the Automatic Rate Relief campaign.
3. Make a letter of support for the Automatic Rate Relief campaign available to download on the Council's website.

Proposed by: Cllr Ayas Fallon-Khan

Seconded by: Cllr Ted Kemble

Supported by:

NOTICE OF MOTION**LIBERAL DEMOCRAT GROUP****FUEL POVERTY AND EXCESS WINTER DEATHS**

“This Council notes with regret that according to figures from the Office of National Statistics there were 110 excess winter deaths in the three Brighton and Hove Parliamentary constituency in 2006/7. Most of these deaths are caused by cold homes, or fuel poverty as it is known. Thousands more people suffer from living in poorly insulated homes that leak heat.

This Council also notes that David Heath MP (Liberal Democrat), supported by John Gummer MP (Conservative) and Alan Simpson MP (Labour), has tabled the Fuel Poverty Bill, which seeks to develop a strategy to tackle this problem.

The Bill is being promoted by the Fuel Poverty Coalition, a wide range of organisations concerned with the elderly, poverty and the environment – including ACE, Friends of the Earth, Help the Aged, Age Concern and others.

The Bill will reinstate the duty to end fuel poverty. It requires the homes of the fuel poor to be brought up to the minimum energy efficiency standards enjoyed by new homes. It also requires energy suppliers to offer social (i.e. reduced rate) tariffs to vulnerable householders in the short term. The Bill will help to lower energy bills and save carbon emissions.

This Council calls on the city's three MPs to do all they can to assist in the passage of this important legislation. Furthermore it requests that the Chief Executive writes to the three MPs to inform them of the strength of feeling of the Council.”

Proposed by: Cllr Paul Elgood

Seconded by: Cllr David Watkins

NOTICE OF MOTION**GREEN GROUP****RE-OPEN THE WEALDEN LINE**

“This council notes

1. The frequent severe disruption to train travel caused by engineering works on the line between London and Brighton particularly at weekends.
2. The inconvenience that this presents to travellers and the extra pressure it puts on the areas already congested roads.
3. The adverse effect that this disruption has on the city’s economy by discouraging visitors from coming here at those times and potentially on other occasions as well.
4. The general congestion on the London to Brighton line which acts as a serious bottleneck limiting the number of trains able to serve both Brighton and Hove particularly at peak times, leading to overcrowding.

In order to help address these problems this council would like the government to urgently begin work to reopen the Wealden railway line between Lewes and Uckfield.

In response to a recent No. 10 petition calling for the reopening of this line the government quoted Network Rails 2008 report that showed:

“that there are no physical obstructions which would preclude the rebuilding of the railway between Lewes and Uckfield” and “The total capital cost for these works was estimated at £141.0 million including a 30% contingency allowance.”

The government is currently offering to spend hundreds of millions of pounds to improve transport infrastructure in regions outside of London. This council believes that the priorities for the South East of England should be on public transport infrastructure including rail rather than on building more roads. Previous experience shows that building roads leads to more traffic and more congestion. This in turn raises levels of air pollution and increases carbon emissions. We need to be investing in rail for the future not repeating the mistakes of the past. At £141m this project represents excellent value for money compared to the costs of building more roads.

This council believes that reopening this rail link will.

1. Provide a general boost to the Sussex economy in particular that in Brighton & Hove
2. Relieve pressure on the London to Brighton bottleneck so providing opportunities to improve the train service into the city
3. Provide an invaluable alternative route into the city when engineering works are being carried out on the mainline.
4. Represent a significant shift away from increasing car dependency towards a future grounded in sustainable transport and a low carbon economy.

For these reasons this council calls on the government and particularly Lord Adonis the Minister of State responsible for the railways to begin work as soon as possible to re-open this vital missing link on the regions railway network.

The council therefore asks the Acting Chief Executive and the City's Three MP's to write to Lord Adonis in support of this proposal.

Proposed by: Cllr Ian Davey

Seconded by: Cllr Bill Randall

NOTICE OF MOTION**GREEN GROUP****MILLICENT FAWCETT & THE FAWCETT CHARTER**

“This Council notes that:

1. The Fawcett Society is the UK’s leading organisation promoting equality for women. It campaigns for women’s representation in politics and public life; equal pay and pensions, and the fair treatment of women in the workplace.
2. Having begun as the National Union of Women’s Suffrage Societies (NUWSS) in 1866, the Fawcett Society takes its name from Dame Millicent Garrett Fawcett, who made it her life’s work to lead the peaceful campaign for women’s votes.
3. Millicent Fawcett was married to Henry Fawcett, MP for Brighton from 1865 to 1874, and in 1897 she spoke to the NUWSS Conference in Brighton Town Hall.
4. Today the Fawcett Society continues to campaign for equality for women in all areas of life, and is currently calling for employers to sign up to the Fawcett Charter, which represents a coalition of firms and organisations committed to challenging the objectification of women at work. Signatories include BT, Barclays Wealth, Matrix Chambers, and Oxfam GB.

As one of Brighton & Hove’s largest employers, with a stated commitment to equalities for all in the workplace, this Council therefore resolves to ask the Cabinet to consider:

1. Signing up to the Fawcett Charter, demonstrating:
 - Support for Fawcett’s aim of challenging the objectification of women;
 - A commitment to audit employee expenses to ensure local authority money is not being spent in lap dancing clubs;
 - A commitment to review internal policies and procedures to ensure they adequately address potential occurrences of objectification.
2. Request that the Commemorative Plaques Panel considers erecting a blue plaque outside Brighton Town Hall to honour the memory of Millicent Fawcett.

Proposed by: Cllr Amy Kennedy Seconded by: Cllr Vicky Wakefield-Jarrett

Supported by: Cllr Rachel Fryer, Cllr Georgia Wrighton, Cllr Ian Davey, Cllr Ben Duncan, Cllr Jason Kitcat, Cllr Bill Randall, Cllr Sven Rufus, Cllr Paul Steedman and Cllr Pete West.

NOTICE OF MOTION**LABOUR GROUP****KEEP ROYAL MAIL PUBLIC**

“This Council notes and supports the Early Day Motion 428, as supported by the Brighton MPs, which backs a;

“supported vision of a wholly publicly-owned, integrated Royal Mail Group; welcomes the conclusion of the Hooper Report that the current universal service obligation offered by Royal Mail, including six days a week delivery, must be protected and that the primary duty of a new regulator should be to maintain it; further welcomes the recommendations in the Report that the Government should take responsibility for the pensions deficit which followed an extended contributions holiday; endorses the call for a new relationship between management and postal unions and welcomes the commitment of the Communication Workers Union to negotiate an agreement which would support the modernisation of the industry; observes that in 2007 the Government agreed to a £1.2 billion loan facility on commercial terms to modernise Royal Mail operations; rejects the recommendation of the Hooper Report to sell a minority stake in Royal Mail which would risk fracturing one of Britain's greatest public services; further notes that the Government is currently advertising for a new Chair of Royal Mail; and urges the Secretary of State to appoint a Chair and management team who are committed to the principles of a modern public enterprise.”

This Council notes the cross party support that the EDM has received and wishes to express a non partisan and co-operative approach to an issue that may have repercussions for all of the City's residents and not just postal workers.

Asks that this Council seeks to assure postal workers in the City of its support to keep Royal Mail public by requesting the Acting Chief Executive and Leader of the Council write to BERR and the CWU stating the authority's position.

Proposed by: Cllr Gill Mitchell

Seconded by: Cllr Jeane Lepper

Supported by: Cllrs Les Hamilton, Warren Morgan, Mo Marsh

NOTICE OF MOTION**LABOUR GROUP****ACCEPT £9 MILLION FOR LOCAL SCHOOLS**

“This Council notes the non-acceptance by the administration of £9m of Government funding for schools, and their excuse that that they “did not believe that we were in a position to bring forward the funding and spend it in a proper and strategic way in the time we were given”.

This Council believes that this statement, as reported in the Argus, is not acceptable.

This Council supports action to ensure that children will benefit from the £9 million of government funding being brought forward for local investment in education to 2009/10 for better equipment and new building repairs and improvements.

This Council recognises and supports the boost to the local economy that this kind of work will bring to the City, increasing construction jobs and the amount of work available.

This Council asks the Leader of the Council and Cabinet Member for Children and young People to let Brighton and Hove’s children wait no longer; and to reconsider their refusal to claim the £9 million that is waiting to be given to the City; and to reconsider their current position which does not incorporate this additional investment in school building and refurbishment programmes which will boost jobs in the City.”

Proposed by: Cllr Pat Hawkes Seconded by: Cllr Gill Mitchell

Supported by: Cllrs Les Hamilton, Mo Marsh, Kevin Allen, Juliet McCaffery, Melanie Davis, Warren Morgan, Bob Carden, Craig Turton, Jeane Lepper and Christine Simpson

NOTICE OF MOTION**GREEN GROUP****SOUTH DOWNS NATIONAL PARK**

“This council, a long-standing supporter of the South Downs National Park, recognises:

- The vital importance of the South Downs to our tourist economy
- The recreational benefits it offers to local people and visitors
- The additional economic benefits National Park status will bring to Brighton and Hove
- The physical and mental health benefits that access to a high quality landscape will bring to the City.
- The protection National Park status will offer to the fragile and pressured national environment of the South Downs.
- That Brighton and Hove is a natural major gateway to the proposed park.

It notes:

- The Government plans to announce its decision on the South Downs National Park in the ‘early summer’
- The efforts of the South Downs Campaign to persuade Ministers to include the chalk hills, The Western Weald, Ditchling and Lewes in the confirmed National Park.
- The need for Brighton and Hove City Council to look beyond designation and plan for the benefits of the National Park on the city.

It therefore resolves to:

- Commend the South Downs Campaign for its tireless work,
- Ask the Cabinet to consider establishing a working group to develop a comprehensive strategy to reap the benefits for the city of a South Downs National Park.

- Ask the city's Chief Executive to write to Hilary Benn, Secretary of State for the Environment, Food and Rural Affairs, urging him to include the chalk hills, the Western Weald, Ditchling and Lewes in the confirmed national park.
- Call on the city's three MPs to write to Mr Benn urging him to include the chalk hills, the Western Weald, Ditchling and Lewes in the confirmed national park.

Proposed by Cllr Pete West

Seconded by Cllr Sven Rufus

Supported by: Cllrs Davey, Ben Duncan, Rachel Fryer, Amy Kennedy, Jason Kitcat, Bill Randall, Steedman, Keith Taylor, Wakefield-Jarrett and Wrighton

NOTICE OF MOTION**GREEN GROUP****HOUSING AND HOMELESSNESS SERVICES
FOR YOUNG LESBIAN, GAY, BISEXUAL AND TRANS PEOPLE
IN BRIGHTON AND HOVE**

“This council:

1. Acknowledges the work of the city’s housing services in helping young Lesbian, Gay, Bisexual and Trans (LGBT) homeless people in Brighton and Hove.
2. Notes the findings of the report, *Count me in too (LGBT lives in Brighton and Hove)*, which was published in 2008 by the University of Brighton and Spectrum.
3. In particular, it notes the section on homelessness, which reveals that 18 per cent of LGBT young people who have moved to Brighton and Hove in the past five years have been homeless in the city and that many of them have experienced abuse, harassment or violence at the hands of a family member or someone close to them.
4. Also notes that 57 per cent of those who have experienced homelessness in the city told University of Brighton/ Spectrum researchers they would like to see the introduction of specialist LGBT services for homeless people.
5. Notes the successes of the Albert Kennedy Trust, which works in Manchester and London with young people aged 16 to 25 from the LGBT community who are homeless or living in a hostile environment. It provides a programme of training, policy advice, and practical support, which includes supported lodgings schemes, mentoring and befriending services. It has also launched a Quality Assurance Mark, offering a model of best practice to mainstream housing and homelessness organisations.

The council therefore resolves to request the Cabinet member for Housing to consider the possibilities of:

1. Joint working with the Albert Kennedy Trust
2. Ways in which ways the Trust’s services could be used to help young LGBT homeless people in Brighton and Hove.”

Proposed by: Cllr Bill Randall

Seconded by: Cllr Amy Kennedy

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