

# **BRIGHTON & HOVE CITY COUNCIL**

## **COUNCIL**

**4.30pm 12 DECEMBER 2013**

### **COUNCIL CHAMBER, BRIGHTON TOWN HALL**

## **MINUTES**

**Present:** Councillors Cobb (Chair), Randall (Deputy Chair), Barnett, Bennett, Bowden, Brown, Buckley, Carden, Cox, Davey, Deane, Duncan, Fitch, Gilbey, Hamilton, Hawtree, Hyde, Janio, Jarrett, Jones, A Kitcat, J Kitcat, Lepper, Littman, Mac Cafferty, Marsh, Meadows, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pissaridou, Powell, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Wakefield, Wealls, Wells, West and Wilson

### **PART ONE**

#### **44. DECLARATIONS OF INTEREST**

- 44.1 Councillor Shanks declared a personal interest in Item 55, Council Tax Properties as she was the owner of a flat in the city of which she let out privately.

#### **45. MINUTES**

- 45.1 The minutes of the last ordinary meeting held on the 24 October 2013 were approved and signed by the Mayor as a correct record of the proceedings.

#### **46. MAYOR'S COMMUNICATIONS.**

- 46.1 The Mayor stated that she was pleased to announce that the 'Our Choice Project' Adventure Unlimited and Brighton & Hove City Council Participation Team had won the Participation in the City Sports Award. The project was recognised for its work to engage young people to develop and shape opportunities for young people in care in Brighton & Hove, and participate in outdoor adventure activities. The project had provided opportunities to take part in sport and outdoor activities for more than 90% of children in care. A short film could be viewed on the Council's Sports and Activity Web pages. The Mayor asked that Rob Scoble and one of the participants to come up and collect the award.
- 46.2 The Mayor stated she was pleased to announce that BEACH – Brighton Employability Advice and Careers Hut – an employability website specific to Brighton and Hove which had been designed for young people by young people, had won a prestigious Eurocities award in the category 'smart jobs'. BEACH was developed as a citizen-driven innovation between Blatchington Mill, Cardinal Newman and Varndean secondary schools,

Brighton & Hove City Council, BrightonandHoveJobs.com and other local employers. It was targeted at young people who were at school or college, or those who have already left and are looking for employment; an apprenticeship; part-time or weekend work. It was being used as a resource by schools, colleges, training providers and throughout the community and voluntary sector to develop young people's employability skills, but also to help them look for, get and keep a job. To keep it fresh and current it was reviewed and updated by a new group of year 10 students known as the BEACH Patrol. They were ambassadors for BEACH and promote it within schools to students, staff and parents and also amongst the business community. The Mayor extended congratulations to all of the partners involved in the development of BEACH, and asked that Hannah, Lauren and Sam, three of the students involved from the very beginning of the project come forward and collect the award.

#### **47. TO RECEIVE PETITIONS AND E-PETITIONS.**

- 47.1 The Mayor invited the submission of petitions from Councillors and members of the public. She reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.
- 47.2 Councillor Hawtree presented a petition signed by 190 residents concerning the creation of 20mph speed limits along Medina Terrace, King's Esplanade and St Aubyn's South.
- 47.3 Councillor Janio presented a petition signed by 140 residents concerning parking in the Grenadier area of Hangleton.
- 47.4 The Mayor noted there were no other petitions to present.

#### **48. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.**

- 48.1 The Mayor noted there were no written questions received from members of the public.

#### **49. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

- 49.1 The Mayor reported that two deputations had been received from members of the public and invited Ms Harding as the spokesperson for the first deputation to come forward and address the Council.
- 49.2 Ms Harding thanked the Mayor and presented her deputation: 'As you can see from the deputation in front of you, I'm concerned about the quality and completeness of the data that we hold in the city about houses of multiple occupation.

Under the Article 4 Planning Rule we make decisions based on this data; if there are too many recorded houses of multiple occupation in certain areas, no one will be allowed. This affects me because I live in Hollingbury Road. When we did a quick assay of our road we find about twice as many houses of multiple occupation as are recorded on the Council's Licensing List but why should it concern you?

I think the reasons that it should concern you are that as an organisation committed to open data; you should try to ensure that your data is as clear, complete and concise as

possible. By underestimating the number of houses of multiple occupation, we run the risk as a city on missing out on rebates for houses where Council Tax is not paid, this should be a real concern in these times.

The Article 4 arrangement for allowing planning permission for HMO's is a 5 year trial. If we do not base this on correct data, we do not make our decisions on correct and accurate data. We cannot fairly evaluate the trial and see if it has been successful or not also if we do not hold the list which is accurate about houses of multiple occupation we will not be able to protect the tenants therein which is a responsibility that we hold.

I would ask that we make better use of the data that we hold and encourage more preparation between private sector housing group and the planning services so that we can provide a better service.'

- 49.3 Councillor Mac Cafferty replied: 'I fully appreciate, especially given the location where you live, why this is a particular concern to you. Where I will start with is some figures.

The Licensing regime that you refer to in your deputation began in 2012 and by April this year we had 1747 applications and 1420 draft approvals, 733 had full licensing and of those 250 had been identified by local people for the Article 4.

I can confirm that the data collected by the Private Sector Housing as part of a Licensing regime is shared with, primarily, mapped by colleagues in planning.

The Council has mapped private sector housing records of HMO's up to October this year. All properties that have applied for or have been granted licenses vary mixed either licensing regime. With mapped consultation records for the last 4 years since 2009, that was actually done before the Article 4 was introduced as part of evidence that we were required to bring in the Article 4.

We've mapped the consultation records as well of this year, that's a manual process so that has been decommissioned which has, about 5000 bits of information and we've checked that those that have overlapped, nevertheless that's a slower process and we have to get it right not least because of concerns you and indeed others have raised and it's interesting that you have voiced this question this week, only yesterday at Planning Committee we had a similar concern to yours raised with us. I'm happy to take a supplementary and as I said I will make sure that you get a full written response sent to you as well.'

- 49.4 Councillor Mac Cafferty offered to take a supplementary question in relation to his response, and Ms Harding asked: 'I would just observe that when myself and my neighbours canvassed our road we found 21% of HMO's that were definitely HMO's and a further 20% of houses that we could not identify. You've got the City stick there where as in the Council's map it shows us between 10 and 20% of HMO's and I think there is a serious underestimation.'
- 49.5 Councillor Mac Cafferty replied: 'I'm happy to agree with you that the stance of this particular regime will require the co-operation of people like your good self to help us get it right, it's not perfect by any stretch of the imagination whether that be how to make sure that housing and planning share the information.'

- 49.6 The Mayor thanked Ms Harding for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Economic Development & Culture 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.
- 49.7 The Mayor then invited Mr Taylor as the spokesperson for the second deputation to come forward and address the Council; before the deputation was submitted Councillor G. Theobald requested that the notice of motion on the same topic listed as Agenda Item 61(c) be brought forward and considered after the deputation; the matter was put to the vote and the Council agreed, by simple majority, to take the associated notice of motion following on from Mr Taylor's deputation.
- 49.8 Mr Taylor thanked the Mayor and presented his deputation: 'The City of Brighton and Hove is somewhere we can all be very proud of, I'm particularly proud of Brighton and Hove being one of the newer Cities. One of Brighton's greatest assets is that it is a City of great diversity. It welcomes everyone no matter what their background or lifestyle, it allows a freedom of expression that gives power to the individual. It doesn't criticise, pass judgement or persecute minority interests. In simple words; no matter who you are, what you like or even dislike you will find it somewhere in the City of Brighton and Hove.

A decision has been taken by Brighton and Hove Council not to accept the Brighton and Hove Motor Club application to run the 2014 Brighton speed trials on Madeira Drive. From the comments passed on to the club, this is predominantly due to a view that this event does not fit in with a modern Brighton. We believe this decision would be detrimental to the City both now and in the future.

A great City is not judged solely on the present day which by its nature is transitory and fast moving, but it builds on the foundation of its past to create an exciting future, Brighton is renowned as the City of many cultures and prides itself on its longstanding combination of both the modern and the old. Its history is known throughout the United Kingdom and Worldwide.

The Brighton speed trials is at the very heart of that heritage, Brighton has the very real and unique privilege of being the only holder of a specific act of Parliament that enables a motorsport trial of speed to take place on the public highway. It is ironic that at the same time as Brighton's considering this decision there is work taking place at Westminster by the Motorsports Association to campaign for greater access to the public road network on mainland Britain for motorsport activities.

Progress is being made in this regard with enthusiastic support from Local Authorities that recognise the huge benefits accrued by such events. Brighton has the enviable advantage but must surely seek to retain its unique position with the valuable legislation that it enjoys.

The idea for the speed event in Brighton was first suggested in 1902 however it wasn't until 2 years in 1905 that a local man Sir. Harry Preston persuaded the town corporation

to surface Madeira Drive using the pioneering material of tarmac as its surface and this was in fact the first of it's kind.

The Town Council collaborated with the Automobile Club of Great Britain and Ireland later to become known as the Motorsports Association, to organise an event know as Brighton Motorweek which ran from the 19<sup>th</sup>-22<sup>nd</sup> July and consisted of a series of Motor races.

The first event ran westwards from Black Rock to the Aquarium, the opposite direction to which the race currently runs, it attracted over 400 entries timed by the flying Kilometre. During the first event there were 3 world records set. The BHMC believe the trials have and continue to bring considerable economic benefit to the town resulting in hoteliers, restaurateurs and all manner of retailers enjoying the impact of the event.

Motorsport is often misunderstood as a sport casually dismissed as an environmental catastrophe which in fact the opposite is true. Motorsport and it's engineering challenges have driven the development of all major environmental benefits to the internal combustion engine allowing ever greater efficiency in the power extracted, furthermore the rate of change within the sport enabled progress of mainstream technologies to be significantly sped up.

This has included hybrid technology and kinetic energy recovery systems. We urge the Council not to throw away history but instead to look for inspiration to their forefathers on the Town Council. The loss of this even will also result in the closure of Brighton and Hove Motorclub after nearly 100 years and the loss to the Council of a tenant.'

- 49.9 Councillor Bowden replied: 'We have a notice of motion which is being brought forward which tackles the same subject. Can I say first of all the recommendation not to proceed with your event next has absolutely nothing to do with ideology or this administration and I speak as someone who probably, maybe one of the only people, who have taken a motorcycle around Donnignton Park at high speed and has been a passenger going round the Isle of Man TT circuit so there is no ideology involved in this but, very conveniently out of the notice of motion that is being presented by the opposition and in your submission, no mention has been made of the death in 2012 and the serious injury sustained by a motorcycle and sidecar combination.

This is for purely safety grounds that officers are making this recommendation as the notice of motion makes clear; this will come to my Committee as a matter of report and those members of Committee will then take a vote on it. So until that report has been debated within in my Committee no decision on the future of your event is being taken but it is purely on safety grounds, and if I were to comment also on your deputation; businesses have to close.

My inbox and fellow Ward Councillors and the Ward Councillors neighbouring Ward are inundated with complaints from residents who cannot access the beach. Businesses like Yellow Wave, the Volk's Railway all have to close as a result of this event so we have to take into consideration, access issues as well as traditional. So I will not say anymore now because we are coming to a notice of motion which we will debate.'

49.10 The Mayor thanked Mr Taylor for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Economic Development & Culture 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. The Mayor noted that concluded the item.

**50. TO CONSIDER NOMINATIONS FOR (A) THE MAYOR-ELECT AND (B) THE DEPUTY MAYOR-ELECT**

50.1 The Mayor noted that the next item dealt with the nominations for the Mayor and Deputy Mayor-Elect and called on the Monitoring Officer to outline the process and to seek nominations.

50.2 The Monitoring Officer thanked the Mayor and explained the process for the appointment of the Mayor-Elect and then sought nominations to the position.

50.3 Councillor G. Theobald nominated Councillor Hyde, and Councillor Peltzer Dunn formally seconded the nomination.

50.4 Councillor Morgan nominated Councillor Fitch, and Councillor Mitchell formally seconded the nomination.

50.5 The Monitoring Officer noted that there were two nominations and therefore the matter would be put to the vote.

50.6 A formal vote was taken and the Mayor declared that Councillor Fitch was duly appointed as Mayor-elect for the City of Brighton & Hove for the municipal year 2014-15.

50.7 The Monitoring Officer then noted that nominations were required for the position of Deputy Mayor-Elect and that it was usual practice for the outgoing Mayor to be duly nominated.

50.8 Councillor G. Theobald nominated Councillor Cobb and Councillor Peltzer-Dunn formally seconded the nomination.

50.9 The Monitoring Officer declared that Councillor Cobb had been duly appointed as the Deputy Mayor-Elect for the municipal year 2014-15.

**51. WRITTEN QUESTIONS FROM COUNCILLORS.**

51.1 The Mayor reminded the Council that written questions from Members 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:

**(a) Councillor Cox**

51.2 "In relation to the new City Clean bin rounds: a) How many refuse/recycling/communal bin vehicle breakdowns have there been since the introduction of the new rounds; b) How are staff deployed when their vehicles do break down; c) does the Council have

'reserve' vehicles or other effective contingency measures for when breakdowns do occur?"

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

- 51.3 *"(a) How many refuse/recycling/communal bin vehicle breakdowns have there been since the introduction of the new rounds?"*

"There have been 169 defects on vehicles ranging from 30 minutes to 5 days (approximately) to rectify from 7<sup>th</sup> October until 29<sup>th</sup> November. On average over the period this is 4.23 per day. There were 12 with accident damage which is included in the 169 which were longer to rectify. This figure includes spare vehicles used for extra operational requirements."

- a) How are staff deployed when their vehicles do break down?*

"Collection Crews either remain with the vehicle or in the depot waiting for a vehicle to be repaired and brought back into service. In the rare event that it looks like there will not be a vehicle available all day the staff are allocated to help out on other collections rounds."

- b) Does the Council have 'reserve' vehicles or other effective contingency measures for when breakdowns do occur?*

"Yes. There are spare vehicles to cover defects and service inspections. Refuse collection have had 6 spare RCV's with the addition of 2 from Lewes and 1 vehicle held back from disposal. Recycling has had 6 spare vehicles and an additional 3 vehicles held back from disposal. We held back the vehicles for disposal to help with the bedding in of rounds. There are contingency measures for breakdowns which include the use of Manufacturers service engineers and subcontractors, although most vehicle defects were, and are, rectified in-house. In addition, contingency measures may involve double shifting collection vehicles by sending out the vehicle again usually with an agency crew once it has finished its original round and, if necessary, collecting outstanding work over the weekend."

**(b) Councillor G. Theobald**

- 51.4 "Does the Leader of the Council think that it is appropriate in a hung Council, and in the spirit of open government which he espouses, to hold a press briefing on his Budget proposals just before going abroad to represent the Council, and fully three days before the detailed report was released to opposition councillors and members of the public?"

**Reply from Councillor J. Kitcat, Leader of the Council.**

- 51.5 "In recognition of our desire to be as open and inclusive as possible we have used the cross-party Budget Review Group to brief the group leaders and finance spokespeople on the budget proposals, context as well as to review possible savings ideas. This cross-party working is appropriate as the budget is ultimately a decision for all councillors and this council has no overall control. This inclusive approach has been

agreed by all three parties and is modelled on best practice from other councils which have seen long periods of no overall control.

As happened last year, the press were invited for a general briefing with a finance officer to discuss the overall context and shape of the budget. Interviews were also offered with Cllr Littman, as Lead member for Finance, and myself. Because I had to be away on Council business later that week, this was scheduled a few days before the publication of the budget proposals and was done so under embargo, so that the comments could not be used until the budget was published. Opposition groups were informed that this was taking place.

The budget proposals were not shared with the press at this briefing. Nothing which was not already in the public domain was shared and discussed in the briefing.

Opposition group leaders were given copies of the budget proposals the evening before they were published to the press and public on Friday 29<sup>th</sup> November.

I am confident that this has all been done completely appropriately and in the best interests of the council. As an administration we have pursued the most open and inclusive budget process the city has ever seen, publishing draft proposals three months before the final decision is taken.

Officers will continue to help ensure that opposition councillors receive timely information on the budget and the opportunity to influence the budget setting process.”

## **52. ORAL QUESTIONS FROM COUNCILLORS**

- 52.1 The Mayor noted that notification of 6 oral questions had been received and that 30 minutes was set aside for the duration of the item. She then invited Councillor Simson to put her question to Councillor J. Kitcat.

### **Information Security**

- 52.2 Councillor Simson asked: ‘The issue I’m raising is not party political as it affects many members in this chamber. Many Councillors here today are very concerned about the impact changes in the Council’s ICT services are having on the way they can carry their roles and this in-turn impacts on the City and its citizens.

The first stages that inflicted GCSX email on us was disastrous and meant my interaction with residents and the Council was taking 2-3 times as long as it had previously. Now I’m told that I have to have my home directly networked to the Council otherwise I will be cut off from Council services. I still haven’t managed to get an answer just to what this actually means.

So should the Council, in recognising that all Councillors lives are different and that the roles we have as community champions are vast and various, will you call a halt to the current process that is taking place and ask for a complete review in consultation with all Councillors allowing us to have some say and choice as to what we have in our own homes?’



- 52.3 Councillor J. Kitcat replied: 'Well I can say, having recently discussed this matter at the Local Government Association and the Society for Public Sector IT Managers, that across the Country members and officers share your pain but this is something that has been designated with zero notice by the Cabinet Office of your Coalition Government.

Ultimately this was something that came in as zero notice and zero tolerance and something that we are required to do. Now different Councils are in different of their adoption of this. As a unitary we are the most complex because of the range of services that we provide and there has been a history of under investment in ICT in this authority unfortunately however were we not to make the changes, some of which you've detailed, this Council would be disconnected from the public service network and thus not able to do things like providing housing benefits for our citizens.

So while I sympathise with the change and discomfort, I think our priority has to be delivering services to our citizens and it is not in our gift to decide what regulations the Cabinet Office impose on us or not. I can say that as Brighton and Hove are the lead for ICT in the South East Seven Group of principle authorities; I have written a letter to the Cabinet Office expressing our severe concern about this as has the Chief Information Officer of Hampshire who leads the Council of CIO's, SOCATIM, the LGA, we've all lobbied, many times, the Cabinet Office. There have been some change so it could be worse, let me put it that way.

One of the issues is that historically that members have had no consistency of the arrangements, so some have had no computer, some have had one computer some have had a home computer and a Council computer, it needs to be done consistently so that we can meet the requirements the Government put on us and so that our limited ICT resource can provide the best support to you.

I know that John Mileham will be providing all Members with ongoing personal support through these changes.'

- 52.4 Councillor Simson asked the following supplementary question: 'I don't think we'll ever have consistency across the Council the way members have their ICT delivered because we are all different people and we all have different requirements so I wonder how that's going to happen.

The whole process relating to security measures; whilst necessary for some officers in some departments within the Council, I absolutely understand the need for security but it appears to me, members and many of those who have contacted me have spoken to me, to be one step forward and two steps back when I thought we were supposed to be a modernising Council. We seem to be taking retrograde steps.

This can be really cost effective, especially the time when the Council is looking at vast reductions in next year's budget. So I wonder if the current Leader of the Council can tell me how much money has been spent so far on the work that has already been carried out relating to members including the new laptops that have been bought and the new screens, the keyboards and the mice for those that don't even want a laptop and why Councillors who would prefer to use their own equipment at no cost to the Council are being told they can't?'

- 52.5 Councillor J. Kitcat replied: 'I don't have the numbers on the cost of providing IT to Members but I'll happily look into that and see if I can get you a written reply but ultimately the whole point is that we are required to do this by Government because Councillors, due to their Community role, handle personal sensitive information about benefits matters, could be mental health issues, all sorts of sensitive data; it is completely black and white clear that Members of the Council must be using GCSX accounts and as soon as that is the case then all the other requirements come and it is such that you have to have the connection as you've discussed, direct to the Council network and you have to have a specific computer.

Now in fact in most trades most organisations of this type it is utterly normal for workers to be given a laptop with the organisation's security requirements. It is us who've been outliers in being allowed to access secure Council systems for some time on our own computers and I have been guilty of that as much as others but we now have no choice but to do it in a consistent way, it is not something that, locally, the ICT department have chosen to do, this is a national thing and you're quite right, it has been very unfortunate that the speed and zero tolerance has happened in this way because it has cost us more money and it has distracted from the modernisation that we're seeking to do that is why across the country Councils are so angry with the Cabinet Office for the way this is being done.

We are united in that but we have to be understanding and supportive of our very hard pressed ICT department here who are trying to make the best of a bad situation that is created by those in Whitehall so I'd hope you can support them as they're trying to meet the requirements that have been put on them so that they can continue supporting us as members but also more importantly the citizens of our City.

### **Church Road Portslade**

- 52.6 Councillor Hamilton asked: 'Church Road, Portslade is part of the designated route from Shoreham Port to the Brighton Bypass and carries a large volume of heavy traffic. At the northern end of Church Road near St. Marys Primary School there is a pelican crossing, this crossing must have met relevant criteria to have been installed. At the southern end of Church Road, near St. Peters Primary School, there is no crossing however the criteria used for the existing would apply equally to the location where a crossing is also required.

In view of this will you please undertake to give serious consideration to the provision of a crossing at the southern end of Church Road?'

- 52.7 Councillor West replied: 'I'm sure Councillor Hamilton is aware from his Ward colleague, Councillor Robins, of the considerable interest that has been shown in this matter and brought to the attention of the Environment, Transport and Sustainability Committee over the past number of meetings.

Councillor Robins has raised the question and we have had a deputation and a question as well from residents. I think all Members will be aware that we share concerns of residents and parents and teachers for safety for children crossing Church Road and

this has been well discussed and I would refer him to the considered answers that I have given in reply.

For other Members who are unfamiliar I can just mention one or two things. We have, in the Summer, surveyed the crossing movements in the location I think he is referring to against the agreed Council criteria and it wasn't deemed that the crossing movements at that time were sufficient to warrant the measures that he was specifically seeking.

We have also installed a number of measures already mostly using Section 106 money from the school expansion and that includes 8 drop kerbs, a pedestrian guard rail outside the St. Peters School, a column that controls the electronic warning sign and an additional pedestrian refuge and station road. The sum we obtained for that was £20,000 and we've put in over £5000 more from the road safety budget and these measures are considered to be sufficient for the situation but we are very aware that the numbers of pupils are rising further in subsequent years and has already been pledged at Committee, I have asked Officers to look again at this matter and, as has been said, we will be bringing the report back to Committee to consider what further measures may be required so this matter is in hand Councillor and as I'm sure you're aware, I do appreciate the concern of residents and parents.

They are running a very large campaign and I think the petition had a thumping in the order of 1000 signatures and I do appreciate that expression. As we have said at Committee, we have over 100 hundred applications for safety measures across the whole city every year and we have to look at those in the round against our Green criteria and take the responsibility to distribute the limited funds that we have for road safety in a fair manner to address the issues that are arising across the City.

So I hope you will be patient and await that report and see what the officer's analysis of the situation is.'

- 52.8 Councillor Hamilton asked the following supplementary question: 'I don't think Councillor West has really answered the main point that I was making. Church Road already has a pelican crossing at the top. Why was that installed? It must have met the criteria and that was 10 years ago and traffic's increased since then so how can it be that that crossing there met the criteria ten years ago and now the crossing 300 yards further down the same road with the same traffic does not now meet the criteria?'

Do you agree that it met the criteria 10 years ago at the top of the road, it now meets the criteria at the bottom of the road?'

- 52.9 Councillor West replied: 'All I can say is that when this was looked at in June and it was against the Council's agreed criteria which is relatively recently updated; and I remember Councillor Morgan and I both sat on the Scrutiny Panel that actually looked at this matter, the criteria takes in to account a number of additional factors beyond road casualties because it became apparent that it shouldn't just be casualty driven it should also be taking into consideration the way that people are unable to cross and therefore perhaps are not crossing in a given place where they would want to and so actually this criteria is a lot more intelligent than ones in the past.

I clearly can't comment on decisions that were taken against old criteria 10 years ago but this was looked at in June and as I have said we are looking at this matter again and

the report will be coming to Committee in the future and one of the things that we will be considering in that is the fact that there are a lot of heavy vehicle movements in this particular case and that's an important factor. So I hope you'll be patient on this.'

### **Local Government Association**

52.10 Councillor Summers asked: 'I understand the Councillor Kitcat did attend an LGA staff conference last month in which he spoke about what LGA Membership means to Councillors. So assuming that he was speaking from Councillors experience rather than just theory I wonder if he'd be so kind as to remind us what LGA membership means for Brighton and Hove City Councillors?'

52.11 Councillor J. Kitcat replied: 'The LGA is the only collaborative body for all Councils in England and Wales and every developed nation in the world has a Local Government Association. It is essential to the good functioning of a modern democracy.

What do we get from the Local Government Association, first of all we get influence. We get to participate in boards and commissions; a number of colleagues here currently participate and have participated in the past and there are around 83 subsidised events a year where Members are able to meet together to discuss issues of common concern, influence Ministers and other decision makers and also the briefing is invaluable.

I have a conversation a few years back now with the Head of Public Protection who was saying that the value of the briefings; they alone got from the LGA interpreting what new legislation meant, more than covered the £50,000 we pay in membership because otherwise we would have to get independent legal advice on some of those matters.

But also the learning and the training for Members and Officers is incredibly valuable, I've got a really long list here which I'm happy to put up afterwards, there's EU funding trackers, LGA Office in Brussels that we are able to take advantage of for lobbying on matters of EU, Governance that impact on the Council, they also support with media issues when there are particular matters for example the horse meat prices recently which all Councils are being inundated with requests about; they provide a central clearing house and advice and comments and we're also able to use Local Governments House as a meeting space.

We've recently formed Key Cities which we are on the Leadership body of, which is a mid-sized city group. 23 Cities now are working together on that and we are formally recognised through the LGA as a special interest group and we are getting direct access to Cabinet Ministers on that to put the case for why we need particular types of support and devolved powers.

So that's just a quick summary but I'm happy to circulate more details. I think collective action is incredibly important for Local Government and The LGA is a big part of that.'

52.12 Councillor Summers asked the following supplementary question: 'I totally agree with Councillor Kitcat, I really asked that question so that he could remind Councillors really what the LGA does. I've personally am a supporter and user of LGA services so I suppose what I want to say then is; because I believe they offer fantastic support and we really could with now, I wonder if he could consider ways of encouraging more of us

Members and Officers to use it because unfortunately according to reports of the LGA last year showing how Brighton and Hove benefitted from their services, it shows unfortunately only about 6 Members and 9 Officers from our Council even attended events so I don't think the take up has been very large and I just wondered if you would find ways of encouraging others to take up more of their services?'

- 52.13 Councillor J. Kitcat replied: 'I'm not sure those figures are entirely reflective of all the things Officers and Members did with LGA last year but I agree and actually at the start of the staff conference you mention I attended, one of the items I raised was how can we involve more Members beyond the usual suspects of Council Leaders and Chairs and Cabinet Member and that was taken very thoughtfully by the Chief Executive, Caroline Downes and they're going to go away but I suggested one way would be to have more LGA reps from the wider membership of the Council.

I am aware that Members do take advantage of many of the e-mail bulletins and the online tools the LGA provides and they do get invitations through that to a number of the events so maybe we need to just remind them of the availability of that and they can go to [www.local.gov.uk](http://www.local.gov.uk) to sign up and they're free for Councillors.

There are only 2 Councils in England and Wales who aren't Members of the LGA and I think long shall it continue that there's such high membership and I'd encourage all Members to support the LGA.'

### **Council Investments**

- 52.14 Councillor Mears asked: 'In recent months the Co-op Bank, the ethical bank, has come close to collapse due to a 1.5 Billion black hole in its balance sheet leading to concerns for more than 1000 job losses and with pensioners standing to lose income owing to the sacrifices being made by bondholders and concerns regarding their political arm.

Bearing in mind the many years this Council has invested in the Co-op Bank, can Councillor Littman confirm he is happy with the action the Council has taken to protect its investments?'

- 52.15 Councillor Littman replied: 'As an educator I've found that the quality of an answer tends to be predicated on the clarity of the question and since the question consists of two words; Council Investments, I have a number of points covering all sorts of areas of Council investment including, fortunately, the Co-op Bank. Obviously we are deeply saddened that our relationship with the Co-op Bank has gone one on for many years under administration of all colours, is going to have to come to an end.

Our current contract with the bank is up in March next year but we are already looking, along with other local and regional authorities, at moving faster than that in the tendering process for a new bank to work with. I am confident that our finance officers are doing everything that is necessary to protect us in these difficult times.'

- 52.16 Councillor Mears asked the following supplementary question: 'Can Councillor Littman confirm whether the City Council will be helping the independent enquiry in to the Co-op given the level of investment that the City has had with this particular bank?'

52.17 Councillor Littman replied: 'Currently we have no investment with the Co-op Bank, they are our personal bankers as it were, so we're not an organisation that actually invests with them.'

### School Places

52.18 Councillor Pissaridou asked: 'The Brighton and Hove City Council Strategic Risk Register 2013/14 gave a risk of 16 to school places planning that's red. Will Councillor Shanks confirm that from next September the City will start to face the shortage of secondary school places and will she outline what pro-active measures her administration is taking to provide the places needed over the next 5 years?'

52.19 Councillor Shanks replied: 'Councillor Pissaridou does know the answer to this question because she sits on a cross party working group which we've constituted more recently and much more formally and we've met twice so far in the more formal system that we've now got and we have been obviously looking at school places, this is not just a problem in Brighton and Hove.'

This is a problem nationally because of the Government's Policy on schools, free schools, academies etc because of lack of capital investment in school places we are actually doing a lot better than some authorities but not complacent on this and we are obviously looking at this but actually we have because of the King's School opening and the additional places at PACA, we still have spaces at both PACA and BACA and I think at Longhill as well.

We still have places in our secondary schools so we have sufficient places to the cost of the City to meet forecast demand until at least 2016 however we will need to provide places and we need to possibly provide 300 places per year group for secondary places. We've obviously got along lead in time to this so the working group, as you know, has asked officers to continue discussions with all the schools about whether they can increase in size, we've also had some interest from University of Sussex for example who are quite keen to do something educationally but this is a priority for our new director and it's a priority of mine that we have got sufficient places but the need for extra places is not this year.

52.20 Councillor Pissaridou asked the following supplementary question: 'That's all very well and good for up to 2016 but what measures will your administration from this coming September to ensure that there are enough secondary schools places for children across Brighton and Hove?'

52.21 Councillor Shanks replied: 'We do not need new places for this September, obviously, and we have got a working group that will be reporting back. We have got, for example in the Toad's Hall Valley, we have got a school site there and we are talking to all our secondary schools about potential expansions.'

We're also looking at other possible sites, I visited King's School last week, the pre-school is in its first year of operation it will be taking extra children in the future so I'm confident that officers will be working on this and that Councillor Pissaridou and indeed Councillor Wealls as well will be involved in all those discussion and that we will be able to come to a collective agreement on this.'

**Bus Shelter – Thornhill Rise, Portslade**

52.22 Councillor Carden asked: 'Will the Council provide a bus shelter, a seat and a bus information sign at the junction of New England Rise and Thornhill Rise, Portslade for the elderly people that live in that area? I have battered my head for years trying to get something put up there in fact when my wife died back in March I sent a letter to the Head of Transport saying that I was prepared to sponsor something from that site but I was told no, it's provided by the contractors that put the bus shelters in.'

Please before I go in about another 18 months time, is there some chance that we can get a bus shelter put at that point for the elderly people that live in that area? I get more phone calls on that particular bus stop than any other in the City. Please do it I'm fed up with trying and getting the same old rubbish answers that they've got no money, we can't do it etc. Please do it and I'll be a happy man and I'll retire happy.'

52.23 Councillor West replied: 'The Councillor said bus shelter Thornhill Rise, so I'm hoping that we're talking about the same spot. The advice I have from officers is that they have visited this site previously with representatives of Brighton and Hove's Bus Company to have a look at the suitability of that stop to take as shelter and my understanding, I admit I am not familiar with the spot and I hope we are talking about the same place, is that actually it is too narrow in that location to take a shelter without it compromising pedestrian access where pedestrians and potentially disabled people will be forced to get in to the road to get around the shelter, so I see that you're not agreeing with that analysis so I do wonder if we are talking about the same place.'

But that's certainly the advice that I have. The other point that is being made is that it isn't a particularly heavy used bus stop and that of course we have to, along with ensuring that's a safe location, we do have to make sure that shelter's are put into places that are more heavily used so that they are providing more benefit to the greatest number of people.'

52.24 Councillor Carden asked the following supplementary question: 'I believe that this particular point that I'm talking about, there was an intention at one stage to put it there but if you go along across the top from Mile Oak where you go out atop of Chalky Road and round Fox Way, there's a bus shelter on the junction and it's used twice a day. Two buses a day stop there. Elderly people have come to me and said that they're fed up with getting wet, waiting for the bus. No one's ever come and said to me they're fed up with getting wet along Fox Way.'

So please listen to me, go and have a look at the junction of Thornhill Rise and New England Rise, I'm making this impassioned plea because I haven't got much more time to do it but I'm prepared to bring it up at every Council meeting between now and the day I walk out of here in May 2015.'

52.25 Councillor West replied: 'I appreciate the point Councillor and officers will certainly come and have a look at the place and check that we've got our understanding correct. With regard to the other shelter, we'll listen to what you have to say about the usage rates and whether that potentially could be different but I do hear what you're saying.'

**53. CALL OVER FOR REPORTS OF COMMITTEES.****(a) Callover**

53.1 The following items on the agenda were reserved for discussion:

- Item 54 - Council Tax Reduction Review
- Item 56 - Treasury Management Policy Statement 2013/14 – Mid Year Review

**(b) Receipt and/or Approval of Reports**

53.2 The Acting Democratic Services Manager confirmed that the following reports on the agenda with the recommendations therein had been approved and adopted:

- Item 55 - Council Tax Property Discounts
- Item 57 - Response to the Report of the Publicly Accessible Toilets Scrutiny Panel Recommendations
- Item 58 - Review of Members' Allowances
- Item 59 - Update to Health & Wellbeing Board Terms of Reference
- Item 60 - Winter Service Pressures

**(c) Oral Questions from Members**

53.3 The Mayor noted that there were no oral questions.

**Note:**

53.4 The Mayor then adjourned the meeting for a refreshment break 6.25pm.

53.5 The Mayor reconvened the meeting at 7.10pm.

**54. COUNCIL TAX REDUCTION REVIEW**

54.1 Councillor Littman introduced the report which had been referred from the Policy & Resources Committee meeting held on 5 December 2013 to the Council for approval. He stated that the report demonstrated the effectiveness of Officers as it did not propose any changes to the existing scheme. Councillor Littman went on to add all local authorities had been instructed to implement the scheme by Central Government, but it was the view of the administration that the scheme demonstrated a stealth tax on some of the poorest households in the city.

54.2 Councillor A. Norman stated that the existing scheme had been effective due to the efforts of Officers, and the number of Council Tax benefit claimants had reduced by approximately 1000 since January 2013 – saving the Council over £1M – which was good news for those seeking work. She went on to add that the number of job seekers had fallen in the city, and broke this down further to demonstrate that the local authority was performing above the national average. This evidence within the city was proof that Central Government's welfare reforms were having a real impact locally, and it was noted that the majority of existing Council Tax arrears related to historic cases before



the new scheme had been introduced. In closing Councillor A. Norman added that the situation needed to continue to be monitored carefully.

- 54.3 Councillor Wilson stated that the interpretation put forward by the Conservative Group - that the projected underspend was evidence for justifying a reduction in the 2014/15 budget - was 'misguided' as the knowledge of the changes had not been widespread, and families could have been 'getting by' in the short-term. It was inappropriate to make assumptions at this point in time and to use this information to take decisions in relation to budget setting that could put people and families at risk as it was the poorest and most vulnerable sections of society were receiving the disproportionate impact of the changes from Central Government. The arguments put forward by the Conservative Group did not 'stack up' and reference was made to work commissioned by Kent County Council that highlighted problems such as: increased use of food banks; homelessness and increases to crime in deprived areas. Councillor Wilson summarised that she commended the measured approach taken.
- 54.4 Councillor J. Kitcat thanked Officers for working to deliver the scheme well ahead of other authorities, and he provided assurance that there would be discretionary funds budgeted as part of the scheme. He went on to highlight that billions were being taken out of welfare nationally, and universal credit was due to be rolled out in 2016/17; the Centre for Economic Inclusion had reported that the city was be one of the worst hit areas with very rates of claimants effected by the changes. In summary Councillor J. Kitcat commended to work of Officers and partner bodies.
- 54.5 Councillor G. Theobald came back to comments made by Councillor Wilson; stating that the current Government had inherited the economic situation from the previous Labour Governments and stated that the situation was better for the local authority then it had been in the previous year. He reiterated comments made by Councillor A. Norman that the number of claimants had reduced since January 2013, and unemployment was falling with levels of employment rising. He stated that he would support the level of reserve, and noted that the improved position the local authority was now in.
- 54.6 Councillor Littman thanked Councillor Wilson for her contribution, and added that Officers were working hard to publicise the scheme; in response to comments from Councillors A. Norman and G. Theobald he expressed concern with the direction of welfare reform from Central Government.
- 54.7 **RESOLVED:**
- (1) That the proposed Council Tax Reduction scheme for 2014/15 which is unchanged from 2013/14 be approved;
  - (2) That the discretionary element of the scheme budget be set at £100,000 recurrently whilst maintaining one-off resources of £100,000 to top it up if necessary.

**55. COUNCIL TAX PROPERTY DISCOUNTS****55.1 RESOLVED:**

- (1) That the reduction of the Council Tax discount for empty and unfurnished properties (known as the Class C discount) from six weeks to four weeks, with effect from 1 April 2014 be approved;
- (2) That the removal of the Council Tax discount for empty properties that are intended for use as furnished lets, with effect from 1 April 2014 be approved;
- (3) That to give effect to the preceding recommendations, makes the formal determinations and decisions for the financial year commencing 1 April 2014 and subsequent financial years as set out in Appendix 1; and
- (4) That delegated authority be granted to the Director Finance & Resources to take all appropriate steps to implement and administer the preceding recommendations, including the publishing of any related data or information in accordance with statutory requirements.

**56. TREASURY MANAGEMENT POLICY STATEMENT 2013/14 - MID YEAR REVIEW**

- 54.1 Councillor Littman introduced the report which had been referred from the Policy & Resources Committee meeting held on 5 December 2013 to the Council for approval. He stated that the most significant aspect was that despite claims that the worst aspects of the financial crisis were over the level of assurance was still low. Officers were looking at some non-UK investment opportunities with a very high rating of assurance; the Council continued to use the assurance levels set down by the three main agencies, and added the organisation only used sterling markets.
- 54.2 Councillor A. Norman stressed the need for a sound investment strategy to ensure that everything was done to protect tax payers money through investments; the Conservative Group were willing support the maximum levels to invest in Barclays Bank set at £10M and the list of investors expanded to include some non-UK banks with sufficiently high credit rating. It was added that safe investments had become increasingly difficult in the last few months and in-depth checking needed to be in place. Councillor A. Norman also thanked Officers for regular updates.
- 54.3 Councillor Hamilton commented that it was important the strategy look at what was available due to the low base rate and low returns, and noted the increase in the number of potential investments. He added that some of the best rate for investments was with the part-nationalised banks because these organisations were underpinned by the Government and represented a safer investment. The changes should enable the Council to generate a slightly higher return without increasing the level of risk.
- 54.4 Councillor Cox stated that it was terrible shame what had happened recently to the Co-Operative bank; in particular it's reduced status as an investment bank; he also made reference to loans from the bank to the Labour Party. The Council had avoided moves to put more investment into such ethical banks, and lastly wished the Co-Operative Bank success in its recovery.

- 54.5 Councillor Peltzer-Dunn asked for clarification in relation to whether Rabobank, of the Netherlands, had been included in the list of non-UK banks.
- 54.6 Councillor Morgan referred to comments made by Councillor Cox, and stated that approximately half of the funding for the Conservative Party came from than banking sector.
- 54.7 Councillor Jarrett added to the discussion and stated that some of the failings of the previous Labour Governments had been in their failure to undo changes made the Conservatives Governments that preceded them.
- 54.8 Councillor Littman clarified some of the points raised by the speakers and stated that the administration was in strong support of ethical and socially responsibly investments through ethical statements to accompany each deposit placed. He also stated that the Rabobank had not been included in those for potential investment due to the financial rating of the Netherlands, and noted that it had not seemed necessary to amend the papers as the Council were being asked to approve the principles of the investment strategy.
- 54.9 **RESOLVED:** That the Full Council agree changes to the Annual Investment Strategy 2013/14 as set out in paragraphs 3.12 to 3.16 and appendix 3 of the report.

**57. RESPONSE TO THE REPORT OF THE PUBLICLY ACCESSIBLE TOILETS SCRUTINY PANEL RECOMMENDATIONS**

- 57.1 **RESOLVED:** That the Committee's response be noted.

**58. REVIEW OF MEMBERS ALLOWANCES**

**58.1 RESOLVED:**

- (1) That the Panel's desire to undertake a full review of the Members Allowances Scheme be noted,
- (2) That the Council be recommended to adopt the existing Members Allowances Scheme for the payment of allowances in 2014/15, with effect from day after the Annual Council Meeting in May 2014;
- (3) That the Chief Executive be authorised to issue the Brighton & Hove Members' Allowances Scheme in accordance with the regulations following council approval;
- (4) That the allowance payable to each of the members of the Independent Remuneration Panel be increased by 1% in line with the Public Sector Pay award with effect from 1 September 2013, in recognition of the time commitment and the role of the Panel.

**59. UPDATE TO HEALTH AND WELLBEING BOARD TERMS OF REFERENCE**

- 59.1 **RESOLVED:** That the Council agrees the amendments to the Health and Wellbeing Board Terms of Reference as set out at Appendix Two.

**60. WINTER SERVICE PRESSURES**

60.1 **RESOLVED:** That the report be noted.

**61. NOTICES OF MOTION****(a) Badger Cull**

61.1 The Notice of Motion as detailed in the agenda was proposed by Councillor Wakefield and seconded by Councillor Phillips.

61.2 The Mayor then put the following motion to the vote:

“This council notes that the widespread public and scientific concern at the government’s badger culling pilots, and the government’s stated intention to roll out badger culling more widely across the UK including East Sussex.

However the government appointed Independent Scientific Group's ten year randomised badger culling trial concluded that “badger culling can make no meaningful contribution to cattle tuberculosis control in Britain.”

The RSPCA have also said that “as culling cannot be selective many perfectly healthy badgers will be slaughtered as ‘collateral damage’ in fact, as many as 6 out of 7 badgers killed could be [bovine Tuberculosis] free.”

Many experts have pointed out that better on-farm welfare, tighter bio security and stricter cattle movement controls are key to combating the disease.

Vaccination can also be used to protect badgers from catching this disease and to prevent them from passing it back to cows, as is now the case in Wales. Cattle vaccination also has a role to play long term, once the current regulatory hurdles are overcome.

This council objects to the badger culling pilots and any future expansion to other parts of the country, including East Sussex.

This council therefore:

- a) Asks that the Chief Executive of our council writes to the Secretary of State informing them of council’s objections.
- b) Requests a report to Policy & Resources Committee setting out how the council will work with tenant farmers to prevent culling from taking place on council-owned land.
- c) Joins the RSPCA in asking the city’s MPs to support Early Day Motion 661, calling for any roll out of the cull to be subject to a vote in Parliament.”

61.3 The motion was **carried**.

(b) **The Transparency in Lobbying, Non-Party Campaigning and Trade Union Administration Bill**

61.4 The Notice of Motion as detailed in the agenda was proposed by Councillor Hawtree and seconded by Councillor Buckley.

61.5 The Mayor then put the following motion to the vote:

“This Council calls upon the city’s three MPs to reject Part 2 of the so-called ‘gagging’ Bill as it will have a deleterious effect upon vital, meaningful civic engagement in democratic life. It will strike at the very core of an English tradition: the right to disagree.

As the Bill stands, it will severely curtail, and place a costly, indeed surreal administrative burden upon charities, especially in the year before a General Election. Such charities’ political lobbying is, of course, already regulated by the Charity Commissioners.

As the independent Commission On Civil Society And Democratic Engagement panel, Chaired by Baron Harris of Pentregarth (former Bishop of Oxford), has concluded in a recent report: “the combined effect of lowering the threshold for registration, cutting spending limits, introducing a cap in constituencies and broadening the scope of activities subject to regulation is extensive: it is likely to result in a broad range of everyday issue-focussed campaigning being caught by the Bill”.

There is opposition to these from organisations as varied as the Christian Institute and the National Secular Society; the Countryside Alliance and Friends of The Earth. Furthermore, the Joint Committee on Human Rights has expressed concern that, with organisational costs being taken into account, the Bill would harm the fundamental right to assembly for rallies and marches.

We believe campaigning organisations are vital to a healthy democracy and civil society. To curb them through this bill would be incredibly damaging to our democratic well being.

In light of the recommendations by the Commission on Civil Society and Democratic Engagement, we ask that the Bill be rejected - so that the next General Election can be conducted in an open and honest fashion, without a gag being placed upon those it is meant to represent and help.

61.6 The motion was **carried**.

(c) **Brighton National Speed Trials**

61.7 The Notice of Motion as detailed in the agenda was proposed by Councillor K. Norman and seconded by Councillor G. Theobald.

61.8 Councillor Fitch moved an amendment to the notice of motion on behalf of the Labour Co-Operative Group which was seconded by Councillor Robins.

61.9 The Mayor noted that the amendment had not been accepted by Councillor K. Norman and put it to the vote which was **carried**.

61.10 The Mayor then put the following motion as amended to the vote:

“This Council notes that the historic Brighton National Speed Trials event, organised by the Brighton & Hove Motor Club, has been an integral part of the city’s outdoor events calendar since 1905, when Sir Harry Preston persuaded the Town Corporation to lay a tarmac motor racing track between Black Rock and the Aquarium. This much-loved event attracts many visitors to Brighton & Hove and hence makes a significant contribution to the local economy.

This Council notes the proposals to stop supporting the Brighton National Speed Trials on Madeira Drive.

Therefore, this Council resolves to ask the Economic Development & Culture Committee to give consideration to the staging of the Brighton National Speed Trials event in 2014 and beyond as part of setting its annual Events Programme for 2014.”

61.11 The motion was **carried**.

**(d) Energy Price Freeze**

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

61.13 Councillor Sykes proposed an amendment to the notice of motion on behalf of the Green Group which was seconded by Councillor Jarrett.

61.14 The Mayor noted that the amendment had been accepted by Councillor Morgan.

61.15 The Mayor then put the following motion as amended to the vote:

“The Council notes the the ‘big six energy companies’ have increased their prices for gas and electricity by 37% since October 2010. In comparison, average earnings have risen by just 4.4% over the same period.

The Council notes the recent report by energy regulator OFGEM that showed profits made by the Big Six Energy Companies, British Gas, Npower, SSE, Scottish Power, e.On and EDF have risen to £53 per household in 2012, in comparison to £8 in 2009.

The Council recognises the impact these price rises are having on residents across the City, especially vulnerable groups such as the elderly, and those working on low incomes whose wages have not kept pace with the spiralling cost of utility bills.

Finally, this Council also recognises the importance, in particular across our City, of home energy efficiency measures in mitigating high domestic fuel bills.

This Council resolves:

- 1) To request the Chief Executive and Leader of the Council writes to the Secretary of State for Energy and Climate Change:
  - a. To urge him to implement an energy price freeze;
  - b. To request that the funds currently made available from levies on energy companies for home energy efficiency measures are not reduced in any way by an energy price freeze;
  - c. Reiterating the request of this Council in March 2012 to launch an independent public inquiry into the Big Six energy companies in order to identify market reforms that will make energy pricing fairer, reduce fuel poverty and increase trust between consumers and companies.
- 2) To request that officers continue to work closely with community and voluntary associations across the City to support vulnerable groups over the winter period who may find themselves unable to afford to heat their homes.”

61.16 The motion was **carried**.

**(e) Fixed Odd Betting Terminals**

61.17 The Notice of Motion as detailed in the agenda was proposed by Councillor Daniel and seconded by Councillor Lepper.

61.18 Councillor Cox proposed an amendment to the notice of motion on behalf of the Conservative Group which was seconded by Councillor Simson.

61.19 Councillor Randall proposed an amendment to the notice of motion on behalf of the Green Group which was seconded by Councillor Powell.

61.20 The Mayor noted that the amendment moved by Councillor Cox had not been accepted by Councillor Daniel and put it to the vote which was **carried**.

61.21 The Mayor noted that the amendment moved by Councillor Randall had been accepted.

61.22 The Mayor then put the following motion as amended to the vote:

“This council notes the terrible impact on vulnerable people caused by the provisions of the Gambling Act 2005, introduced by the then Labour Government, namely:

1. The prevalence of Fixed Odds Betting Terminals (FOBTs) in betting shops often referred to in the media as “the crack cocaine of gambling”.
2. That, unlike fruit machines in pubs, bingo halls and amusement arcades where cash stakes are limited to £2, gamblers can bet with cash or via a debit card up to £100 every 20 seconds on FOBTs, more than four times as fast as the rate of play in casinos.
3. That in 2012, over £1.5bn was lost on FOBTs across the UK. More profit was made from FOBTs than from the National Lottery, when according to the most recent British Gambling Prevalence Survey, 56% of the population play the Lottery, but just 4% play FOBTs.

4. Empirical evidence that suggests FOBTs are the most addictive form of gambling.
5. Research carried out by Geofutures, which found there to be four times as many betting shops in areas of high unemployment than in areas of low unemployment.
6. Research carried out by 2CV in Newham, which found that the average bet per spin on FOBTs is £17, and the average amount of cash inserted into the machine is £55 per session, with one in five putting in over £100 a time.
7. Nationally, more than 80% of turnover in betting shops and more than half of profits are derived from FOBTs. Less than 20% of stakes in betting shops are over the counter.
8. A recent economic analysis undertaken by Landman Economics, commissioned by the Campaign for Fairer Gambling, which assessed the impact of FOBTs on local economies and across the wider economy. The report concluded that every £1bn spent on FOBTs produces a net reduction of 13,000 jobs, compared to if spent in the wider consumer economy. The projected doubling of revenue from FOBTs by 2023 could cost a further 23,000 jobs across the economy.

This Council further notes:

1. The announcement made by Maria Miller MP, Secretary of State for Culture Media and Sport, on 10th October 2013 in response to the Triennial Review of gaming machine stakes and prizes which left the stakes on FOBTs unchanged but concluded that “there remains a serious case to answer in relation to the potential harm caused by category B2 gaming machines and we consider their future to be unresolved pending further work, which is already underway.”
2. The position in the Republic of Ireland where the Government has introduced legislation to outlaw FOBTs in betting shops.

This council believes that the increase in FOBTs is causing significant problems and believes that the Government should either use the existing legislative framework, or introduce legislation to outlaw B2 casino games in betting shops.

At the very least, local authorities should be given the powers to protect the local amenity and wellbeing of communities by (1) stopping the proliferation of betting shops and (2) reducing the maximum stakes and slowing down the speed of play.

This council therefore requests:

1. The Chief Executive writes to the Secretary of state for Culture, Media and Sport to outline the terms of this motion and demand urgent action against FOBTs by the Government; and
2. The Policy & Resources Committee to consider the use of the Sustainable Communities Act to control the spread and activities of betting shops, and reduce the maximum stake on Fixed Odds Betting Terminals to £2 per spin.”



61.23 The motion was **carried**.

**62. CLOSE OF MEETING**

62.1 The Mayor thanked everyone for attending and then closed the meeting.

The meeting concluded at 9.07pm

Signed

Chair

Dated this

day of