

# **BRIGHTON & HOVE CITY COUNCIL MEETING**

**4.30PM 31 JANUARY 2019**

**COUNCIL CHAMBER - BRIGHTON TOWN HALL**

## **AGENDA**





**Brighton & Hove  
City Council**

# Council Meeting

Title:	<b>Council</b>
Date:	<b>31 January 2019</b>
Time:	<b>4.30pm</b>
Venue	<b>Council Chamber - Brighton Town Hall</b>
Members:	<b>All Councillors</b> 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 Helen Rose
Contact:	<b>Mark Wall</b> Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	<p><b>Public Involvement</b> 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.</p> <p>Please note that the Public Gallery is situated on the second floor of the Town Hall. We have made a number of adjustments to make the venue as accessible as reasonably possible.</p> <p>If you wish to attend a meeting but are unable to use stairs please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting to discuss your access requirements. We can then work with you to enable your attendance and also to ensure your safe evacuation from the building, in the event of an emergency.</p>
	The Town Hall has facilities for disabled people including a lift and wheelchair accessible WCs. In the event of an emergency evacuation there is a special lift which can be used as part of a managed evacuation to assist disabled people. Please refer to the Access Notice in the agenda below.
	An infra-red hearing enhancement system is available within the council chamber to assist hard of hearing people. Headsets and neck loops are provided. If you require any further information or assistance, please contact the receptionist on arrival.

*This Agenda and all accompanying reports are printed on recycled paper*

**AGENDA**

**57 DECLARATIONS OF INTEREST**

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the Monitoring Officer or Democratic Services Officer preferably before the meeting.

**58 MINUTES**

**13 - 48**

To approve as a correct record the minutes of the last Council meeting held on the 13<sup>th</sup> December, 2018 (copy attached).

*Contact Officer: Mark Wall*

*Tel: 01273 291006*

*Wards Affected All Wards*

**59 MAYOR'S COMMUNICATIONS.**

To receive communications from the Mayor.

**60 TO RECEIVE PETITIONS AND E-PETITIONS.**

Petitions will be presented by Members and/or members of the public to the Mayor at the meeting.

**61 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.**

A list of public questions received by the due date of 12noon on the 25<sup>th</sup> January 2019 will be circulated separately as part of an addendum at the meeting.

**62 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

A list of deputations received by the due date of 12noon on the 25<sup>th</sup> January 2019 will be circulated separately as part of an addendum at the meeting.

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### 63 PETITIONS FOR COUNCIL DEBATE

49 - 56

Petitions to be debated at Council. Reports of the Monitoring Officer (copies attached).

- (1) **Commit Brighton & Hove Council to Zero Carbon Emissions by 2030.** Lead petitioner Caitriona Vines.
- (2) **Stop Zippos Circus from returning to Brighton and Hove to Exploit Animals for Entertainment.** Lead petitioner Victoria Wood.
- (3) **Make Brighton and Hove Events Plastic Free.** Lead petitioners Carole Mortimer and Sarah Kingdom.

Contact Officer: Mark Wall

Tel: 01273 291006

### 64 APPOINTMENT OF CHAIR AND DEPUTY CHAIR TO THE CHILDREN, YOUNG PEOPLE & SKILLS COMMITTEE

To appoint Councillors Hamilton and Chapman respectively as the Chair and Deputy Chair of the Children, Young People & Skills Committee for the remainder of the municipal year.

### 65 CALL OVER FOR REPORTS OF COMMITTEES.

- (a) Call over items referred will be read out at the meeting and Members invited to reserve the items for consideration.
- (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 Committee reports, which have not been reserved for discussion.

### 66 WRITTEN QUESTIONS FROM COUNCILLORS.

57 - 62

A list of the written questions submitted by Members has been included in the agenda papers. This will be repeated along with the written answers received and will be taken as read as part of an addendum circulated separately at the meeting.

Contact Officer: Mark Wall

Tel: 01273 291006

### 67 ORAL QUESTIONS FROM COUNCILLORS

63 - 64

A list of Councillors who have indicated their desire to ask an oral question at the meeting along with the subject matters has been listed in the agenda papers.

Contact Officer: Mark Wall

Tel: 01273 291006

## COUNCIL

### 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.

### REPORTS REFERRED FOR INFORMATION

### NOTICES OF MOTION

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

65 - 76

- (1) **EU Citizens and Local Elections.** Proposed by Councillor Littman on behalf of the Green Group.
- (2) **Ending Victim Blaming Together.** Proposed by Councillor Daniel on behalf of the Labour & Co-operative Group.
- (3) **Government Resources and Waste Strategy.** Proposed by Councillor Mitchell on behalf of the Labour & Co-operative Group.
- (4) **Hospital for Hove and Portslade.** Proposed by Councillor Janio on behalf of the Conservative Group.
- (5) **Valley Gardens Phase 3.** Proposed by Councillor Wares on behalf of the Conservative Group.
- (6) **Mental Health in Schools.** Proposed by Councillor Knight on behalf of the Green Group.

*Wards Affected All Wards*

#### 69 CLOSE OF MEETING

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

*Note:*

1. *The Mayor will put the motion to the vote and if it is carried will then:-*
  - (a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*
  - (b) *Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

*The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been*

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*submitted, these will be taken and voted on first in the order that they were received.*

- (c) *Following completion of the outstanding items, the Mayor will then close the meeting.*
2. *If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*
  3. *Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

*Once all the remaining items have been dealt with the Mayor will close the meeting.*

## FOR INFORMATION

Listed below are responses from Government Departments and other Bodies which have been written to by the Chief Executive following the approval of Notices of Motions at previous council meetings:

- (1) Immigration Detention – Letter from Rt. Hon. Caroline Nokes MP, Minister of State for Immigration.
- (2) Brexit – Letter from Rishi Sunak MP, Minister for Local Government.
- (3) Planning Reforms, Fracking – Letter from Kit Malthouse MP, Minister of State for Housing.

Date of Publication - Wednesday, 23 January 2019



Chief Executive  
Hove Town Hall  
Norton Road  
Hove  
BN3 3BQ

### **PUBLIC INVOLVEMENT**

Provision is 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](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through [www.moderngov.co.uk](http://www.moderngov.co.uk)

We can provide meeting papers in alternate formats (including large print, Braille, audio tape/disc, or in different languages. Please contact us to discuss your needs.

### **WEBCASTING NOTICE**

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Mayor 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 1998. 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.

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](mailto:mark.wall@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk).

### **ACCESS NOTICE**

The public gallery to the council chamber – which is on the second floor – is limited in size but does have 3 spaces designated for wheelchair users. There is a lift to the second floor and an automatic door and ramped access to the public gallery. There is a wheelchair accessible WC close by. The seated spaces available in the gallery can be used by disabled people who are not wheelchair users, but able to use bench style seating.

The Town Hall has a specially designed lift that can be used in the event of an emergency evacuation. The size of the refuge areas (in the fire protected areas where people unable to use the stairs will wait to be assisted from the building via the lift), will accommodate 2 wheelchair users and several standing users.

If the public gallery is full, Committee Room 1 on the ground floor can be used. This is an inclusive space with video conferencing facilities and AV links to the council chamber, automatic doors, level access, its own step-free fire escape, and nearby WC facilities including wheelchair accessible provision. From this room you can watch the meeting and

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take part in proceedings, for example if you have submitted a public question.

Please inform staff on Reception if you have any access requirements so that they can either direct you to the public gallery, or to the video-conferencing room as appropriate.

We apologise for any inconvenience caused

### **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:

- 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.

**PROCEDURAL RULES AIDE MEMOIRE**

<p><b>Point of Order</b></p>	<p>A Member claiming to speak on a point of order or in personal explanation shall be entitled to be heard forthwith. The point of order shall relate only to an alleged breach of a specified statutory provision or a specified Procedure Rule, and the way in which the Member raising it considers that it has been broken.</p> <p>Personal explanation shall be confined to some material part of the speech by him/her which may appear from the current debate to have been misunderstood.</p>	<p><b>15.10</b></p>
	<p>The ruling of the person presiding on a point of order or on the admissibility of a personal explanation shall not be open to discussion except on a motion of which due notice has been given.</p>	<p><b>15.11</b></p>
<p><b>Extensions of Speaking Times</b></p>	<p>Any extension of time for speeches consented to by the Council shall be limited to 5 minutes. Where necessary the Mayor will call for a show of hands to ensure there is a majority in favour of the extension.</p>	<p><b>16.4</b></p>
<p><b>End of meeting Closure Motion</b></p>	<p>Without prejudice to 17.2 below, when a period of four hours excluding adjournments has elapsed since the commencement of a meeting of the Council, the Mayor shall move, without comment, that the meeting ends and that business be concluded in accordance with Procedure Rule 17.5. Should the closure motion be carried, the Mayor will put any unfinished business to the vote without discussion. Any Member moving a report or a Notice of Motion may withdraw the report or Notice of Motion.</p>	<p><b>17.1</b></p>
	<p>If the motion under 17.1 or 17.2 is passed then immediately after the vote (in the case of a motion under 17.1) or when the time specified in the motion arrives (in the case of a motion under 17.2):</p> <ul style="list-style-type: none"> <li>(a) no further points of order shall be raised except by the Mayor;</li> <li>(b) the Mayor shall then interrupt the discussion of the question then before the meeting;</li> <li>(c) unless the mover of the motion then under discussion seeks leave to withdraw that motion, the Mayor shall allow him/her to reply to the debate for not more than three minutes;</li> <li>(d) unless the motion then under discussion is withdrawn, the Mayor shall put, without further discussion, all the questions necessary to dispose of that motion;</li> <li>(e) the Mayor shall put, without discussion, all the questions necessary to complete consideration of any reports which remain on the agenda for the meeting, unless the relevant Cabinet Member or Committee Chair (or a person on his/her behalf) indicates a wish to the contrary;</li> <li>(f) the Mayor shall call each Member who has given notice of a motion to be moved at the meeting to move (unless previously withdrawn) without comment, shall permit any motions so moved to be seconded without comment, and shall forthwith put any motions to the vote;</li> <li>(g) finally, the Mayor shall close the meeting.</li> </ul>	<p><b>17.5</b></p>
	<p>At a time when a period of not less than four hours excluding adjournments has elapsed since the commencement of the meeting of the Council a Member of the Council may move, without comment, that the meeting shall end at a time to be specified in the motion.</p>	<p><b>17.2</b></p>
	<p>Subject to the Mayor's discretion to refuse a Member's closure motion under PR17.2 (Mayor may refuse to accept the motion if a similar motion has been</p>	<p><b>17.3</b></p>

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	rejected earlier in the same meeting), any Member has the right to move a closure motion under Council Procedure Rule 17.2	
<b>Quorum</b>	¼ of whole number of Councillors (14).	<b>6.1</b>
<b>Interpretation of Procedural Rules</b>	The ruling of the Mayor or person presiding at the meeting as to the construction or application of any of these Procedure Rules shall not be challenged at any meeting.	<b>1.4</b>
<b>Cameras / Recording</b>	Without prejudice to any power of exclusion to suppress or prevent disorderly conduct or the power to deal with other misbehaviour or interference with proceedings at a meetings, any person shall be permitted to film, video or photograph the proceedings at Council meetings except for that part of the meeting where the public are excluded pursuant to a resolution passed in accordance with Section 100A(2) or (4) of the Local Government Act 1972 (as amended).	<b>29.1</b>
<b>Councillor Written Questions</b>	Written questions can be submitted in accordance with the set deadlines and will be taken as read along with the answer given in the addendum papers which are circulated at the meeting.	<b>9.3</b> <b>9.5</b>
<b>Councillor Oral Questions</b>	A period of not more than 30 minutes shall be allowed for oral questions from Members. Oral questions are limited to general policy matters and only the Member asking the question may ask one supplementary question.  Members will be restricted to one oral question per meeting.	<b>9.7</b> <b>9.14</b>
<b>Timing of speeches</b>	Councillor moving proceedings or Motion 5 minutes.  A Member moving an amendment is not moving a motion and therefore has 3 minutes as do all other speakers.	<b>16.4</b>
<b>Right to Reply</b>	3 minutes to mover of proceedings or Motion at the end of the debate prior to the vote. The mover of an amendment shall have no right of reply to the debate on the amendment.	<b>16.6</b>
<b>Amendment of proceedings or Motions</b>	More than one amendment may be moved and discussed at any one time and will be dealt with at the discretion of the Mayor or Chair.  If an amendment is not carried, other amendments may be moved to the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion to which any further amendment may be moved.	<b>15.5</b>
<b>Notices of Motion</b>	Councillor moving Notice of Motion has right to reply at close of debate.  If amendment moved, mover of original Motion also has right to reply at close of debate on amendment.  Councillor moving an amendment has no right of reply.	<b>16.6</b>
<b>Seconding Motions or Amendments</b>	When seconding a motion or amendment, a Member may reserve his/her speech until a later period of the debate by declaring his/her intention to do so.	<b>15.3</b>
<b>Recorded vote</b>	Support of not less than 1/5 of whole number of Councillors needed (11). Voting may be by roll call or by an electronic method.	<b>27.3</b>
<b>Question be now put</b>	Straight majority vote.	<b>13.1 (f)</b>



**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30pm 13 DECEMBER 2018****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

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

**PART ONE****36 DECLARATIONS OF INTEREST**

36.1 There were no declarations of interests in matters appearing on the agenda.

**37 MINUTES**

37.1 The minutes of the last ordinary meeting held on the 18<sup>th</sup> October, 2018 were approved and signed by the Mayor as a correct record of the proceedings.

**38 MAYOR'S COMMUNICATIONS.**

38.1 The Mayor stated that she wished to congratulate the Head of Democratic Services and the Team and the Member Development Working Group on successfully being awarded the Charter for Member Development by the South East Employers yesterday. She stated that the assessors were very impressed with the overall submission and the buy-in from Members for their development and the acknowledgement of the support they received from the Democratic Services Team. She also noted that the assessors had given the Council a challenge to achieve the Charter Plus standard by December 2020.

38.2 The Mayor noted that her speakers list was not complete and asked that councillors ensured they indicated during the various items under consideration should they wish to speak in the debate. She also noted that there had been some queries as to why the meeting was taking place in Hove Town Hall, and reminded the meeting that it had been scheduled for the venue. The previous council meeting having been relocated to Hove Town Hall because of concerns over safety and the management of various

demonstrations. She confirmed that subject to any unknown considerations the next meeting would be held at Brighton Town Hall.

- 38.3 The Mayor reminded councillors that tickets were still available for the Civic Reception on the 20<sup>th</sup> December and that the Chief Executives' sleep out in aid of her charities on 6<sup>th</sup> April now had a website and volunteers could sign up to take part or nominate other Chief Executives.
- 38.4 The Mayor also noted that the mayoral Christmas card had been designed by a young 21-year old woman who had been adopted as a baby from a foreign country and she wished to promote the support that had been given.

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

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

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

- 40.1 The Mayor reported that 8 written questions had been received from members of the public and invited Ms. Paynter to come forward and address the council.
- 40.2 Ms. Paynter thanked the Mayor and asked the following question; "I am informed by Streamline Taxis that this Council refuses to allow hydraulic lifts on Wheelchair Access Vehicles used by the taxi trade. Can you explain why not please?"
- 40.3 Councillor O'Quinn replied; "The Council does licence vehicles with tail lifts. Where a proprietor has requested a rear loading tail lift, usually to meet the needs of a particular passenger or safety of the driver, the Council has licensed that vehicle. Any tail lift is required to have a strict service regime which is enforced by the Health and Safety Executive."
- 40.4 The Mayor noted there was no supplementary question and thanked Ms. Paynter for attending the council meeting and putting her question and invited Mr. Hawtree to come forward and address the council.
- 40.5 Mr. Hawtree thanked the Mayor and asked the following question, "Would Councillor Daniel please tell us whether the proposed nursery at Hove's Carnegie Library has opened?"
- 40.6 Councillor Daniel replied, "The nursery based at Hove Library is on course to open in January 2019."
- 40.7 Mr. Hawtree asked the following supplementary question; "Do you agree with Councillor Yates who recently told a meeting of the Hove Civic Society that to have gone along in 2015 with the proposal to close down the Carnegie was "A poor decision".
- 40.8 Councillor Daniel replied; "As you well know there has never been a proposal to close the library, the only proposal that you are referring to was to move the library to be within the museum complex. We listened to residents who said they would prefer it to stay in the building and we have renovated the building and people are incredibly happy with it

and I would like to thank the staff for all they have done to make Hove Library a really special jewel and I particularly love the new café and the art work by Chris Ridell which is very much enjoyed by the children who use the Children's Library."

40.9 The Mayor thanked Mr. Hawtree for attending the council meeting and his questions and invited Mr. Furness to come forward and address the council.

40.10 Mr. Furness asked the following question, "Now that the replacement of the Aquarium Roundabout with yet more traffic lights at a T junction has been approved by your Committee, Cllr. Mitchell, would you care to enlighten us as to the ramifications this poses for events such as the Old Crocks Rally and the Speed Trials, amongst others, in Madeira Drive?"

40.11 Councillor Mitchell replied, "In conjunction with event organisers, the council assists with the production of event specific management plans that are developed on an event by event basis. These include any temporary traffic arrangements and restrictions that are required to enable that event to take place. It is not envisaged that any of the proposed changes will prevent events on Madeira Drive from taking place.

The evolving design will recognise the longstanding events that have taken place and will continue to take place and make the city such a unique visitor destination. The operational needs of the individual events are being factored into the design so that the events calendar will remain unaffected."

40.12 Mr. Furness asked the following supplementary question, "This is not the only unique thing about this city the air pollution rates are soaring, about the only good thing I can ever think in these 45 years of what remains of the European Union is to threaten this city council with prosecution over the disgusting state of our air. Can you please tell me what the miles more pollution and miles more congestion as a result of traffic lights replacing a perfectly well functioning roundabout is going to do for the city's lungs?"

40.13 Councillor Mitchell replied, "The preferred option preliminary design that has just been consulted on was the option that scored the highest across all of the options considered including environmental options. The aim is to balance the needs of all modes of transport and to ensure that transport moves easily through the area. Currently the air quality in the Old Steine is not getting worse and we certainly don't want to make it worse and that is why an additional air quality monitoring station will be situated in the Steine area to monitor air quality during and after the implementation of the scheme."

40.14 The Mayor thanked Mr. Furness for attending the council meeting and his questions and invited Mr. Taylor to come forward and address the council.

40.15 Mr. Taylor thanked the Mayor and asked the following question, "In reference to your statement at the previous full council meeting on free speech and hate speech, could you clarify for the public what your definitions of free speech and hate speech are?"

40.16 Councillor Yates replied, "As I made clear at the last Full Council it is incredibly difficult to define things sometimes and it can be like trying to 'pin jelly to a wall' so I tend to prefer to look around for definitions that have been more widely accepted and more broadly developed than just something that I happen to come up with. I look around for

definitions of 'free speech' and that brought me to Amnesty International who I hope most people in this Chamber would recognise as an organisation that is advocated on behalf of free speech across the whole world across many decades. Their definition of free speech is that 'Freedom of Speech is a right to seek, receive and impart information and ideas of all kinds by any means' they say 'It is not your right however to say what you like about whatever you like, whenever you like', they are quite clear about that. They are also very clear that they do believe that freedom of speech can be rightly and appropriately restricted and they have said that with freedom of expression comes all sorts of things including ideas that can be deeply offensive and the Government have an obligation to prohibit hate speech and incitement. I have looked at how you can define or consider hate speech because you asked about that as well and in terms of statutes, obviously hate speech is considerably covered under the Public Order Act of 1986, which talks about people who use threatening, abusive or insulting words or behaviour or displays, any written material which is threatening, abusive or insulting and those being guilty of an offence. The Criminal Justice and Public Order Act of 1994 further amended the Public Order Act of 1986 and also the Racial and Religious Hatred Act of 2006 additionally amended the Act by adding Part 3A, that part says 'A person who used threatening words or behaviour or displays any written material which is threatening is guilty of an offence if he intends thereby to stir up religious hatred. However that part is quite specific as well because it talks again, it goes back to the concept of Freedom of Expression and in Section 27J says nothing in this part shall be read or given effect in a way which prohibits or restricts discussion, criticism or expressions of antipathy, dislike, ridicule, insult or abuse of particular religions, or the beliefs or practises of their adherence, or of any other belief system or the beliefs or practises of its adherence or urging adherence of a different religion or belief system.

Additionally the Criminal Justice Act and Immigration Act of 2008 amended Part 3A and then the Football Offences Act of 1991 had issues specifically about inciting indecent and racial chanting at designated football matches. Section 5 did go back and was affected by House of Lords judgement subsequently which the Government has recently accepted. It is fair to say it is still complicated because we find something just doesn't sound so simple as Freedom of Speech, Expression or Hate Speech. The important thing though is to all live by the characteristics that we seek to see delivered to ourselves by others and that is not to say anything you like at any time for any reason without consideration of the affect that they have on other people.

- 40.17 Mr. Taylor asked the following supplementary question, "I notice in your response that you said "Offensive speech comes under Free speech" yet in your previous statement at last Full Council you suggested that if it offends you, you should contact the police". I would like to ask is Offensive Speech, Free Speech or should I report you for your offensive views on my Freedom of Speech?"
- 40.18 Councillor Yates replied, "There's the rub; that is the complexity of the balance between Freedom of Speech, Freedom of Expression and creating concern within groups or individuals that is why we need to have such complex language to deal with something that should just be a matter of consideration."
- 40.19 The Mayor thanked Mr. Taylor for attending the council meeting and putting his questions and invited Ms. Clare to come forward and address the council.

- 40.20 Ms. Clare asked the following question, “Will the Administration assure the residents of the city of their commitment to equality and continuing the recommendations of the fairness commission?”
- 40.21 Councillor Daniel replied, “A full response to the Fairness Commission was taken forward by the Administration but also the city as a whole including other public agencies, private sector and the community and voluntary sector. The findings have been embedded in and influenced a wide range of strategies and actions in the city from the city’s Framework for Collaboration to its Economic Strategy which has ‘a Fair City’ as one of its five aims, to a new strategy for Autism Spectrum Condition. We have also taken forward specific actions such as work to poverty proof the school day, a young people led youth grants programme, commissioned a new ageing well service for older people, improved the support provided to parents with a learning disability, adopted to British Deaf Association BSL charter. We are also fully supportive of a recent review of the experiences of BME council staff and are championing the changes need. The Administration has an unwavering commitment to equality and fairness.
- A report was taken to Neighbourhoods, Inclusion, Communities and Equality committee in late 2017 detailing how the Fairness Commission continued to have impact.”
- 40.22 Ms. Clare asked the following supplementary question, “As this is the case can the Administration then justify their planned cuts to the Violence Against Women/Girls budget which has the highest equality impact assessment of all of the proposals and by their own admission will negatively impact women who are survivors of domestic violence and sexual abuse?”
- 40.23 Councillor Daniel replied, “It is very hard to justify any of the cuts that we have to make across any of our budgets, what I would say is that we put extra money in to the Violence Against Women Strategy and the contracts last year. The situation is that we put extra work on our external providers because there was a situation where everybody was being referred into that project without making sure that the people that were referred to it wanted to be referred and consented to be referred. One of the main pieces of work that we have done is working with our partners in the police, the police and crime commissioner, to address the fact that so much time was being spent phoning people who didn’t want to be contacted and that now that has been addressed so that takes the pressure down on the helpline. We are protecting the spend of, hopefully I have got this right, £2m on that service, there is a tabled reduction in the draft budget for £50k. I would like to change that by the time we get to full budget. It depends on a lot of things including the impact of the Local Government Finance Settlement which was announced today and I think we will get further details. I share your concern. I do feel that it is reflected in the changes that we have worked on with that organisation to make sure that they are under less pressure and able to do their work better and I remain fully committed to that service.”
- 40.24 The Mayor thanked Ms. Clare for attending the council meeting and putting her questions and invited Mr. Parry to come forward and address the council.
- 40.25 Mr. Parry asked the following question, “At the last meeting of the Full Council Councillor Marsh responded fluently, comprehensively, and positively to the deputation on Transparency, Accountability & Community Involvement. Unfortunately the draft minutes

of the meeting do not reflect what was said by either the deputation or Councillor Marsh as can be confirmed by viewing the webcast of 18 October. Could this be explained or clarified together with the reasons for item 53 on the agenda which both pre-empts and contradicts the commitments made by Councillor Marsh on 18 October?"

- 40.26 Councillor Marsh replied, "Thank you Mr. Parry for your question and I note the points made. The minutes of the last meeting provide a record of the deputation that was submitted and whilst your presentation extended on the substance of the deputation, I did make it clear that I would take all that was raised into account and gave an assurance that it would be considered by the Constitution Working Group. I am happy to reaffirm that assurance.

In regard to Item 53 on the agenda, the Constitutional Working Group discussed how public questions, deputations and petitions are dealt with at Committees and made proposals that are reflected in the report. Those proposals are intended to help in streamlining procedures and provide a more efficient despatch of Council business, including ensuring that the right issues are dealt with by the right committee.

The Constitutional Working Group will meet again in the New Year. As you will see from the report under agenda item 53, we will, among other things, be looking at the terms of reference of the different committees in so far as they relate to rough sleeping or street homelessness, which was a factor in some questions being referred by Housing to another committee. There will be opportunities to look at any outstanding issues and I would be happy to revisit the issues raised in your original deputation.

I would conclude by pointing out that Brighton & Hove City Council has a very robust and lively public engagement process around full Council and committees. We receive more questions, petitions, deputations, notices of motion and members' letters than comparable local authorities as I am sure you will be aware from your dealing with the Housing Committee. We intend to keep that, but also ensure that our arrangements are efficient and make the best use of available time and resources.

- 40.27 Mr. Parry asked the following supplementary question, "I find it difficult to understand why the records as reported in the minutes differs so much from what was actually said, I don't think that point was covered in your response and linked with that in the other part you referred to the Agenda item before you today. That report that you have got today was written after your response at the last Full Council meeting. How can a report be submitted that contradicts what was given as a commitment by a Member of this Council prior to that date?"
- 40.28 Councillor Marsh replied, "The first point about how reports end up, I don't write up the reports I can do some investigating and clarify with whoever wrote those first minutes why they don't seem to meet what was actually said and likewise with the reports that go to our major service committees are not necessarily going to reflect verbatim something else from a previous working group. The Constitution Working Group is a cross-party working group it is not an Executive Service Committee; but I would ask if the Monitoring Officer could clarify matters.
- 40.29 The Monitoring Officer stated that the minutes of the Council were not verbatim and therefore were meant to be the highlights and not everything that was said in the

proceedings. However, he noted the points raised and suggested that they could be considered further at the next meeting of the Constitutional Working Group.”

- 40.30 The Mayor thanked Mr. Parry for attending the council meeting and putting his questions and invited Ms. Borrill to come forward and address the council.
- 40.31 Ms. Borrill thanked the Mayor and asked the following question, “This week the Food Research Collaboration at the Centre of Food Policy the UK’s experts on food policy wrote to all Local Authorities recommending that they should prepare Food Brexit Plans and provided guidance on why and what this should cover and who should be involved. Is Brighton & Hove City Council preparing such a plan?”
- 40.32 Councillor Barford replied, “The guidance from the Food Research Collaboration was only made available last Monday. Brighton and Hove City Council is not currently preparing a Food Brexit Plan but will consider the need for this addition to the work already being undertaken. We continue to work closely with the Food Standards Authority, the Chartered Institute of Trading Standards and the Chartered Institute of Environmental Health to ensure we have the most up-to-date information so that we can support local businesses to ensure compliance post Brexit.”
- 40.33 The Mayor noted that there was no supplementary and thanked Ms. Borrill for attending the meeting and putting her question and invited Ms. Biggs to come forward and address the council.
- 40.34 Ms. Biggs thanked the Mayor and asked the following question, “Over one hundred responses were submitted in the consultation exercise on modernising the beach hut licence. These responses rejected as unreasonable the substantive changes proposed. In light of this what plans are now under consideration, apart from making no changes at all, in relation to the licence terms and conditions?”
- 40.35 Councillor Platts replied, “A report will be presented to the Tourism, Development & Culture Committee in January which will recommend that the existing beach hut licence remains in place. This follows discussions with beach hut owners and a commitment made by Councillor Alan Robins at the last Tourism, Development & Culture Committee that officers would bring a report back which reflects their views. Officers will bring the report to January committee for members to consider and approve.”
- 40.36 Ms. Biggs asked the following supplementary question, “Considering the upset this process has caused the Hove Beaches Association and its members we would like to work with the Council and the Seafront Office to repair the relationship between us. Have you any thoughts as to how this should be approached?”
- 40.37 Councillor Platts replied, “The Chair of the Committee, Councillor Robins, and I would be very happy to work with you in the future, and to meet with you.”
- 40.38 The Mayor thanked Ms. Biggs for attending the council meeting and putting her questions and noted that had concluded the item.

**41 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

- 41.1 The Mayor reported that no deputations had been received from members of the public for the current meeting.

**42 PETITIONS FOR COUNCIL DEBATE**

- 42.1 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. She had been made aware of 1 such petition. She also noted that there was an amendment to the covering report's recommendation from the Green Group.
- 42.2 The Mayor then invited Claire Nelson, Harriet Cavanagh and Hannah Loach to come forward and present the first petition.
- 42.3 The petitioners thanked the Mayor and stated that the petition resulted from the need to improve access to the city's beaches for those people with mobility difficulties. Whilst it was recognised that limited facilities were available such as all-terrain wheel-chairs, there were only 2 and they had to be pre-booked with a deposit included. Ms. Nelson stated that she had worked with SCOPE to highlight the problems faced by those people with mobility impairments to access the city's beaches and in raising the issue she hoped that the council would look at finding solutions to improve accessibility. She noted that other neighbouring authorities provided more help and hoped that something could be done in Brighton and Hove. The petitioners noted that they had 1,787 on-line signatures and a further 114 on paper making a total of 1,901.
- 42.4 Councillor Platts thanked both petitioners for bringing the petition to the council meeting and stated that it was an issue that was close to her heart. She accepted that there were access difficulties and welcomed the work undertaken with SCOPE to find solutions and suggested that representatives from SCOPE and the petitioners should meet with officers to look at how improvements could be made. She was aware that an accessible lift had been provided as part of i360 project and that an area for an accessible platform had been identified along the West Beach. She also noted that Councillor Robins, in his absence from today's meeting, as Chair of the Tourism, Development & Culture Committee had asked her to extend an invitation to the petitioners to meet with him in the New Year.
- 42.5 Councillor Knight welcomed the petition and moved an amendment on behalf of the Green Group, which called for the Tourism, Development & Culture Committee to request that a costed report outlining options for accessibility to the beach front be brought to a future meeting. She recognised that funding would be required for any improvements to be achieved but felt that there was a need to undertake some work to identify what options would be available to be in a position to make an improved offer to those people with accessibility difficulties.
- 42.6 Councillor Phillips formally seconded the amendment.
- 42.7 Councillor K. Norman stated that he believed the council should have been a far better position in regard to its accessibility offer, having secured the provision of all-terrain wheel-chairs some time ago. He was surprised that other authorities appeared to have

more facilities than Brighton and Hove and hoped that this could be addressed in the future.

42.8 Councillor Platts noted the comments and stated that she was happy to accept the amendment.

42.9 The Mayor thanked the petitioners for attending the meeting and presenting the petition, and noted that the Green Group's amendment had been accepted. She therefore put the revised recommendations to the vote which were carried unanimously.

42.10 **RESOLVED:**

- (1) That the petition be noted and referred to the Tourism, Development & Culture Committee for consideration at its meeting on the 17<sup>th</sup> January 2019, and
- (2) That the Committee be requested to call for a costed report outlining options for accessibility to Brighton and Hove beach front, recommending options that best meet the needs of those less mobile and in need of assistance.

**43 TO RECEIVE NOMINATIONS FOR THE DEPUTY MAYOR-ELECT FOR THE 2019/20 MUNICIPAL YEAR**

43.1 The Mayor sought nominations for the Deputy Mayor-elect for the municipal year 2019/20; and called on Councillor Hamilton.

43.2 Councillor Hamilton nominated Councillor Alan Robins to be the Deputy Mayor-elect for 2019/20.

43.3 Councillor Atkinson formally seconded the nomination.

43.4 The Mayor noted that there were no other nominations and therefore put the motion that Councillor Robins be the Deputy Mayor-elect for 2019/20 to the vote which was carried unanimously.

43.5 The motion was agreed.

**44 CALL OVER FOR REPORTS OF COMMITTEES.**

**(a) Callover**

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

- Item 47 - Council Tax Reduction 2019
- Item 49 - A New Economic Strategy for Brighton and Hove
- Item 50 - Gambling Policy review
- Item 51 - Statement of Licensing Policy Review
- Item 53 - Review of the Constitution – December 2018

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

44.2 The Head of Democratic Services confirmed that Items 47, 49, 50, 51 and 53 had been reserved for discussion.

44.3 The Head of Democratic Services confirmed that the following reports on the agenda with the recommendations therein had been approved and adopted:

- Item 48 - Empty Homes Council Tax Premium
- Item 52 - Review of Members Allowances Scheme

**(c) Oral Questions from Members**

44.3 The Mayor noted that there were no oral questions on matters that had not been called.

**45 WRITTEN QUESTIONS FROM COUNCILLORS.**

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

**(1) Councillor Page – Housing**

45.2 What is the relative availability of studios/ one-bedroom council flats to bigger homes in the last period, when numbers in the highest category of housing need on the waiting list are factored in?

**Reply from Councillor Meadows, Chair of the Housing & New Homes Committee**

45.3 The lets for the period 1<sup>st</sup> January to 12 December are as follows

Studios	60 of which	31 sheltered
One bed	376 of which	94 sheltered
Two bedrooms	235	
Three bedrooms	94	
Four Bedrooms	10	
Five Bedrooms	2	

Demand profile on the register

	Total by bed size	Band A	Band B	Band C	Band D
One bed/Studio	5144	311	299	2936	1589
Two Bed	3145	99	202	1852	992
Three Bed	1345	50	126	819	306
Four Bed	165	12	28	108	17
Five Bed	116	0	18	59	39
Six Bed	33	1	7	18	5

For information since 1 January 2017 we have removed 18,880 cases from the live, pending and suspended list

The current live list is now 9,904

**(2) Councillor Mears**

- 45.4 Rough sleeping figures in Brighton and Hove have increased by over 400% from 41 in 2014 since coming into Administration to 178 in 2017. At the Housing & New Homes Committee meeting on the 14th November, item 40. Appendix 1 listed 16 support services in Brighton & Hove, not including St Mungo's. What work has this administration undertaken with all the groups to evaluate out-comes supporting the most vulnerable in the city, and on this basis I wonder how the Chair of Neighbourhoods, Inclusion, Communities & Equalities Committee feels her Party's 'rough sleeper strategy' can possibly succeed in eradicating rough sleeping by 2020?

**Reply from Councillor Moonan, Lead Member for Rough Sleeping.**

- 45.5 The Item 40 report at the Housing and New homes Committee on 14<sup>th</sup> November referred to was in relation to clients housed in temporary and emergency accommodation and Appendix 1 detailed support services available to support those individuals placed in this accommodation. St Mungo's is a street outreach service and works with those sleeping rough, which is why it was not included in the list. Proposals are currently being developed for a service to support those placed in temporary and emergency accommodation and this will be presented to Housing and New Homes Committee in January.

The annual count required by the Ministry of Housing, Communities and Local Government (MHCLG) to find out how many people are rough sleeping around the country has now taken place. The count revealed a significant drop in the number of people rough sleeping in the city this November. The official figure for Brighton & Hove, verified by independent organisation Homeless Link, is 64 people. This has confirmed our own local knowledge gained over the last year. Since then the 30 bed Winter Night Shelter has opened.

However, what is missing from this question is any acknowledgement that since 2014 there have been 4 more years of Conservative austerity policies, including 4 more years of local government cuts, 4 more years of almost no useful national action to tackle the housing crisis, and 4 more years of failing welfare changes, most lately Universal Credit. As a result, we are continuing to see a high flow of vulnerable people onto the streets who desperately need our help.

Only with a Labour government are we likely to see the kind of policies that will really help eradicate rough sleeping. But in the meantime we will not give up on ending the need for anyone to sleep rough in our city by 2020, and we are pleased that the strong collaborative working that has come from the Rough Sleeper Strategy means that together locally we are making a difference and seeing numbers out on the street overnight reducing.

**(3) Councillor Barnett**

- 45.6 I would like to highlight the important work undertaken by the previous Adult Care & Health Committee to forge cross party agreement for the benefit of residents during its time of operation until 2014. Now, with the imminent Green Paper on social care for adults which is due to detail proposals regarding integration with health and other services, carers, workforce and technological developments, among others, could Councillor Barford as the Chair of the Health & Wellbeing Board confirm that any discussion on this important issue will be cross-party, and if she would agree to forming a working group or, the preferred choice for the Conservative group, reinstate the Adult Care & Health Committee to study the proposals?

**Reply from Councillor Barford, Chair of the Health & Wellbeing Board**

- 45.7 Since 2015 the decisions previously taken by the Adult Care & Health Committee have been subsumed into the operation of the Health & Wellbeing Board. This Board has covered much of the agenda the previous committee undertook as well as providing a broader focus on health and wellbeing, engaging with formal representation from the Clinical Commissioning Group, Healthwatch and a number of other key stakeholders.

As the council is aware we are in the process of reviewing the membership and governance of our Health & Wellbeing Board with a further paper due at the next meeting on January 29<sup>th</sup> 2019.

You will recall that the Health & Wellbeing Board established a cross party working group that has been regularly meeting for over a year. At these meetings, we discuss the challenges and opportunities of closer integration and partnership working between health and social care to ensure all parties are informed of developments, and also provide insight to help officers in early stages prior to decisions being made at the appropriate committee. The existing Cross Party Group, which next meets on Monday 17<sup>th</sup> December, is the place that future discussion on appropriate governance arrangements can be brought for discussion prior to being presented to the appropriate committee for decision.

We still await the content of the Green Paper which was expected in the spring of this year but has still not been published. I remain hopeful that it will identify a sustainable solution for adult social care that fully meets the needs of local people, addressing the financial and delivery challenges that local authorities are facing across the country. Should this be the case we will look to identify an appropriate meeting forum under the Health & Wellbeing Board to explore how best this can be implemented locally. It is too early to determine but this could be through establishing a Policy Panel similar to that which has recently been meeting to oversee preparation of the Health & Wellbeing Strategy. The specific benefit of this approach would be the opportunity to include a broad range of stakeholders.

**(4) Councillor Page**

- 45.8 What is the annualised cost of the Hackney Carriage (aka taxi) unmet need/ demand survey?

Please also express this as a percentage of the taxi - not Private Hire Vehicle (“minicab”) - licensing and enforcement budget.

**Reply from Councillor O’Quinn, Chair of the Licensing Committee**

45.9 The Council spent £17520 on the unmet demand survey, this amounts to £5840 per annum over the three year period between surveys. In total this equates to between 5-6% of the Hackney Carriage taxi licensing budget.

**(5) Councillor Mac Cafferty**

45.10 Since 2015 per year how many fixed penalty notices for dog fouling, fly-tipping, flyposting, disposing of commercial waste illegally and littering respectively have been issued in Brunswick and Adelaide?

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

45.11

FPNs issued	2015/16	2016/17	2017/18	2018/19
Dog fouling	0	0	0	0
Fly-tipping	0	1	4	3
Fly-posting	0	0	0	0
Disposing of commercial waste illegally	0	0	29	16
Littering	27	309	423	307

Please note, the 3GS contract started in February 2106.

**(6) Councillor Mac Cafferty**

45.12 Since 2015 per year how many offenders have refused to pay any fine in Brunswick and Adelaide? How many have faced a penalty?

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

45.13

FPNs unpaid	2015/16	2016/17	2017/18	2018/19
Dog fouling	N/A	N/A	N/A	N/A
Fly-tipping	N/A	1	1	1
Fly-posting	N/A	N/A	N/A	N/A
Disposing of commercial waste illegally	N/A	N/A	12	2
Littering	9	67	75	77

Technically, all have faced a penalty as they have been issued with a FPN. Currently it is for the enforcement contractor to decide whether to pursue an unpaid fine to court. By bringing the process in-house the council will have complete control over the end to end process, so unpaid fines will be taken to prosecution where it is in the public interest.

**(7) Councillor Mac Cafferty**

45.14 How many blocked gully grating incidents have been reported in Brunswick and Adelaide since 2015? How many of these have been down to leaf-fall?

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

45.15 As Members will appreciate roads and streets straddle different Wards and records are not kept on a Ward by Ward basis. Leaf fall is however a particular issue within the City given the large number of trees that line our streets and that it is difficult to quickly sweep streets that are routinely heavily parked. This year has seen particular difficulties as the street trees did not shed their canopies until relatively late in the season, which then coincided with the heavy rainfall that frequently occurs in late autumn. Members will also appreciate that the City sewers within the urban areas are combined, that is they carry both foul and surface water, and that there are limitations to their capacity especially during heavy rainfall. The sewer capacity is a factor in that no matter how effectively Highway gullies are maintained those gullies feed into a finite drainage system which is overloaded in storm events, events that are becoming more frequent.

More generally, Members may recollect that in 2016 officers presented a study on the Council's Highway drainage infrastructure and recommended a risk-based approach to the maintenance regime to match the allocated levels of funding. The subsequently agreed maintenance regime provides for a continual programme of gully cleansing on either a 12 month cycle for exceptionally problematic locations or an 18 month cycle for all other locations.

**(8) Councillor Gibson**

45.16 Can you confirm that in November 2018 the administration decided to undertake a rough sleeper count rather than the more usual estimate? And please can provide details of how much greater in average percentage terms rough sleeper estimates have been than rough sleeper counts in Brighton and Hove averaged for all the years when both measures were undertaken?

**Reply from Councillor Moonan, Lead Member for Rough Sleeping.**

45.17 There are two methods for completing the annual count and both are subject to independent verification. The count method has been reintroduced in Brighton & Hove following discussions with the Ministry of Housing, Communities and Local Government (MHCLG) about how other areas conduct their counts.

The count methodology covered the whole city, and followed MHCLG guidance. This count process was independently verified by Homeless Link (the organisation commissioned by the government to oversee correct practice), and found 64 rough sleepers. The alternative method to a count is an estimate comprised of data from local partners and collated to provide an agreed figure for one night in November.

To give a better understanding of the ongoing situation, the council's outreach service St Mungo's have also started carrying out other street counts. These regular counts cover most of the city, only excluding the far outlying areas where very few people choose to bed down. The most recent figure from this count recorded 78 people rough sleeping in September.

We also have a central system of recording and sharing information (b-think) with partner agencies, and these figures are again consistent with the numbers we have seen from the recent count.

The number of people facing rough sleeping and their circumstances are changing; the services being provided are being developed in response. We also have a greater level of monitoring information than previously, and are confident that we have an accurate picture of the current level of need.

#### **(9) Councillor Gibson**

45.18 Please can you provide figures for the HMO licences achieved by the end of the first 5 year (April 2018) licence period of HMO licensing for the 5 Lewes road wards, providing details of:

- i) How many full licences were issued?
- ii) How many conditional licences were issued?
- iii) A breakdown of the conditions for improvement of the properties by category of improvement; for example for fire safety, fuel efficiency, and poor conditions giving the numbers of properties requiring improvement for each category
- iv) A breakdown for the above categories giving the numbers of conditions that have been satisfied and the number that are outstanding.

#### **Reply from Councillor Meadows – Chair of the Housing & New Homes Committee**

45.19 The Lewes Road Additional Licensing Scheme which began 5 November 2012 and ended 4 November 2017:

- Applications were received for a total of 1,998 separate properties
- Full Licences were issued for a total of 1,981 separate properties
- Difference – 17, due to applications not fully made or made too late in the scheme to enable full licences to be issued

#### **Conditions**

We have highlighted some of the most frequently applied conditions that are applied to all licence applications received. We cannot provide a breakdown of how many properties complied with each condition 'by condition' without further analysis, but we can report

where all conditions are compiled with. As highlighted in the committee report 90% of all special conditions were met.

No. of licences applications with the following conditions applied:

Structural Fire Works	1,725
Fire Alarms	1,832
Other fire works	1,669
All three of the above fire conditions	2,185
Management Repairs	1,598
Loft insulation	1,140
Ventilation	1,028

#### (10) Councillor Gibson

45.20 As on March 31<sup>st</sup> 2018, please can you provide the total number of households in temporary accommodation broken down numerically between different categories of Private Sector Leased accommodation, Bed and breakfast, directly with a PRS landlord, LA and RSL TA stock, and other TA as is set out in the Housing Statistical bulletin Annual review?

#### Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

45.21 From the statistics we submit to Government which are a snapshot at that time, the figures for statutory homeless in temporary accommodation are as follows:

- Private sector leased: 870 households
- Bed & Breakfast type accommodation ( shared facilities ): 52 households
- Other short term emergency accommodation: 259 households
- Directly with a private sector landlord ( Seaside Homes): 441 households
- Council owned TA: 10 households
- RSL TA stock: 32
- **Total** **1664**

We cannot pull out historic figures for all households in temporary accommodation, (i.e. including those placed under a Care Act duty or Children's Act duty) as the records are not kept in that way. We can only report on the amount currently.

#### 46 ORAL QUESTIONS FROM COUNCILLORS

46.1 The Mayor noted that 17 oral questions had received and that 30 minutes were set aside for the duration of the item. She also noted that since the agenda had been published, Councillor Wares had indicated his intention to withdraw his question and she would therefore not take that question. The Mayor then called on Councillor Janio to put his question to Councillor Yates.

**(1) Councillor Janio – The Future of Local Democracy**

- 46.2 Councillor Janio asked the following question, “Does the Leader of the council believe in being honest with residents?”
- 46.3 Councillor Yates replied, “The answer is yes the question is nothing to do with policy of this council which is the purpose of this part of the council meeting.”
- 46.4 Councillor Janio asked the following supplementary question, “Given the social media output of Labour candidates calling for deficit and government breaking budgets. Can he confirm that he will be honest with residents and confirm that Labour is discussing inflation busting budgets for the following 4 years before we hold the local elections in May and it doesn’t come as a surprise afterwards?”
- 46.5 Councillor Yates replied, “I refer the Leader of the Opposition to the answer I gave just now, let’s deal with policy shall we, not the future I don’t have a crystal ball.”

**(2) Councillor Mac Cafferty – Library Budget**

- 46.6 Councillor Mac Cafferty asked the following question, “The cuts to the library budget is significant, £242K and covers notionally cuts to staff, but the one thing we all know about libraries is that they achieve high value for money with low staff costs. Described honestly in the budget book as modernisation and rationalisation will Cllr Daniel give me a cast iron guarantee that this cut is not yet another attempt by Labour to close Hove Library?”
- 46.7 Councillor Daniel replied, “There are absolutely no plans to close Hove Library why would we have spent all that time, money and effort in investing in modernising it and making it beautiful in putting in a new café and finding ways to make it sustainable. The library is doing well.”
- 46.8 Councillor Mac Cafferty asked the following supplementary question, “You did all those things because ‘us’ and the community forced you to. Why does my community have this annual fight with the Labour administration over Hove Library when they have had neither the inclination nor the common sense to renegotiate private finance initiative payments of £1m annually for Jubilee Library. There is now no question the PFI payments in Jubilee Library put in place when Labour last ran this council but they have hamstrung our ability to pay for all of our libraries. I asked the Labour administration to re-negotiate our Library PFI deal in October 2015. 3 years ago, why 3 years on are residents still waiting?”
- 46.9 Councillor Daniel replied, “If the Leader of the second Opposition Group was so keen on making Hove Library so much better for everybody why did he not do it when he was in administration just a few years ago and if he also thought it was so easy to re-negotiate this contract I would put that question back. He had every opportunity, but what they did was close a library the only Administration to close a library was the Green Administration.”

**(3) Councillor Bell – Life Events**

- 46.10 Councillor Bell asked the following question, “Recently I was contacted by a local resident who was obviously suffering because their mother had died and found great difficulty in getting the resources when they contacted the Council here on how they should go about informing people and also with bereavement. I wanted to know what the Council are actually doing about this?”
- 46.11 Councillor Hamilton replied, “I am not quite sure exactly what the question is because of the scant information. Can I just say that obviously the Council, as such does not deal with “bereavement support.” In that sense it is not a Life Events service, although we do make sure that the way the service is delivered is done in a way that respects families, in a dignified and sensitive way to the needs of customers. The service does not provide emotional support such as counselling as that is beyond the remit of the service. But we do everything possible to ensure that the surrounding area, the chapels the reception and everything is as sensitive and dignified as possible.

On the Council website you will see that there are 10 recommended organisations locally which do help and give bereavement support. I can particularly recommend CRUISE because a friend of mine became a widow and she went to CRUISE and has now become one of their volunteers as she was so pleased with the help she received. The funeral directors may have contacts when it comes to support for bereavement, most people have got family and friends that do the most of support and people are members of faiths and their faith leaders will also help.”

- 46.12 Councillor Bell asked the following supplementary question, “The Government set up a website called ‘Tell us Once’ which if you go onto it you will see there are only 5 local authorities in the whole of the country which are not signed up to this service of which Brighton & Hove are one. It is a service which is there where people who are suffering bereavement for loss of a family member can contact this number via ‘Tell us Once’ and they do all the communications for them so that they can spend the time they need to get over the sadness which they are finding. I would like to know whether the Labour Administration will commit to signing up to this service so that we can help people who are suffering loss in a much more beneficial way than having to contact 10 different people?”
- 46.13 Councillor Hamilton replied, I am unaware of this organisation that has been referred to, I am sure that I can contact Abraham Ghebre-Ghiorghis and Paul Holloway and discuss with them to see if it something that we should in fact be involved with.”

**(4) Councillor Littman – Pride Festival**

- 46.14 Councillor Littman asked the following question, “Residents of Preston Park are generally very welcoming of the Pride celebrations in the park every year. This year there were a number of issues which I have taken up with PRIDE CRC who are addressing them, but one of them was an issue which also applies to us. According to numerous reports from residents Preston Park was returned to the Council in an appalling state this year, even after the Mayor’s big tidy up after PRIDE residents tell me the grass was littered with cigarette ends, bottle tops, disposable lighters and other

micro-litter. May I ask why the council accepted the park being handed back in such a state?”

46.15 Councillor Platts replied, “Thank you for your question on Brighton PRIDE which we all recognise is a very important celebration of LGBT+ identities, and raises awareness of the need of greater equality and inclusion for LGBT+ people. PRIDE this year was bigger than ever before, with nearly half a million people who came to the city that weekend, 55,000 of which attending the Saturday event in Preston Park alone. Pride has a desire to improve the sustainability of the event which draws a large number of visitors and provides a significant boost to the city’s visitor economy. We are currently developing a Sustainability Strategy for the next three years to build upon the good practice to be introduced this will focus on reducing the waste generated by the event, together with an improvement in recycling of the waste generated.

Measures to reduce the waste will include:

- Monitoring the waste generated by each trader at the event by Pride staff with incentives being considered to reduce waste.
- Pride will introduce reusable plastic cups in the managed event areas including Preston Park and the Old Steine. Pride are also working with businesses on St James Street & Marine Parade to introduce and encourage the use of reusable cups during the Village Party.
- Pride will introduce improved messaging in the lead up to the Pride weekend, to encourage a ‘behaviour change’ for people that come attend the event, including people visiting from outside of the city, to be more aware of what waste they are creating and the impact.
- Pride are going to improve onsite water refill areas to further encourage people to reuse their own plastic bottles, and reduce single plastic waste. Also, Pride are working with the businesses along the parade route that offer a ‘water refill for free’, and further promote the use of this to the public.
- Measures to improve recycling are being considered by a review of the collection of waste for the event. At present it is acknowledged that improvements need to be made to ensure that greater recycling takes place of the waste generated.

46.16 Councillor Littman asked the following supplementary question, “I did not know Cllr Robins was not going to be here today so I understand it is a bit of a difficult one. Fundamentally the question is I assume that we have as landlords a contractual agreement with anyone who uses our green spaces and I going forward what assurances can you give that when events hand back our green spaces to the council that they will be held to a high enough standard of cleanliness, what penalties might be applied if they fail and also what remedial work would be required should they do damage to our grassed areas?”

46.17 Councillor Platts replied, “The best thing would be for me to provide a written response so that his question gets properly answered.”

**(5) Councillor Mears – Estate Regeneration**

- 46.18 Councillor Mears asked the following question, “You may recall estate regeneration was actually started under our Conservative Administration. Can the Chair of Housing reassure this council because of Labour’s desperate need as time is running out to devote affordable housing to fulfil their 2015 manifesto pledge that regeneration of our estates will not be prioritised for over development causing serious problems with the existing infrastructure to the detriment of residents already living there?”
- 46.19 Councillor Meadows replied, “As you know the city is urgently in need of more low cost homes. Brighton & Hove is a growing city with high housing prices, an ageing population, low incomes and a significant proportion of households with support needs. When we are talking about development when the council was developing the City Plan, the National Planning Inspectorate instructed us to identify more sites for residential development to ensure that the need for that additional housing was met. In regards to over development we really need to look at all spaces within the city as we are a very constrained city between the sea and the South Downs National Park, so it gets very difficult and we are looking at some very sensitive sites. We appreciate residents’ concerns and we will take all those into consideration.”
- 46.20 Councillor Mears asked the following supplementary question, “Can the Chair of Housing confirm this administration’s commitment for the absolute need to ensure through any build within our estates that any green land surrounding these estates will be protected ensuring this council also protects the natural environment now and for the future?”
- 46.21 Councillor Meadows replied, “I can only assume that you are talking about the green lands of the South Downs National Park. Which, as you know, we are not the planning authority but I have it on very good authority that they won’t allow us to build lots of homes on it.”

**(6) Councillor Sykes – BHCC and Sustainability**

- 46.22 Councillor Sykes asked the following question, “As the Administration seem to have forgotten about sustainability in the context of the Economic Strategy which is on the agenda today, can Councillor Mitchell reassure us by reminding council of how sustainability in the council and the city is incorporated into Administration plans?”
- 46.23 Councillor Mitchell replied, “You would have seen that the Economic Strategy have a whole section on sustainability and promoting the circular economy. The Living Coast Biosphere programme is our environmental partnership for the city and for the wider area. The One Planet living principles and the actions and large body of work that it represents due continue to be delivered and are being progressed and mainstreamed into individual service areas, and by our partners across the city. So across a number of new and emerging areas work is being taken forward with officer time being spent less upon administration of an action plan but rather applied to the delivery of the project and the key areas of that work include the following:
- Reduction of CO<sub>2</sub> emissions
  - The development of an Energy and Water Plan for the Greater Brighton area

- Developing a circular economy across the council and wider strategies and projects.
- The phasing out of single-use plastics, and
- Embedding sustainability standards into key city planning strategies,

I would like to see the different areas of this work together brought together within a Sustainability Framework for the council and our partners and a good opportunity to do this will be when the Biosphere Management Strategy is being refreshed in the coming year.”

46.24 Councillor Sykes asked the following supplementary question,

46.25 “We do have a Sustainability Action Plan the document title is ‘SAP 2015-2017’ which incorporates some of the elements you talked about, but much of the document appears to be a historic document, the deadlines in the past. I wondered what the plans are for a follow up Sustainability Action Plan or do we need to wait for a Green Council?”

46.26 Councillor Mitchell replied, “As I have just explained we are focused on delivery, making a change and carbon reduction and ending plastic use and that is what we are doing rather than producing plans and action plans. We are taking forward the One Planet Living principles and we are working on those and delivering on that Agenda.”

#### **(7) Councillor Wares – Tourism & Business Development**

46.27 The question had been withdrawn.

#### **(8) Councillor Knight – Mental Health in Schools**

46.28 Councillor Knight asked the following question, “A study of 12555 children aged between 13 and 15 was undertaken recently and the results found that one in three have a mental health issue. What are the council doing to support schools to identify students who are in need of mental health support?”

46.29 Councillor Chapman replied, “Mental health in schools is something that I and the rest of the Administration of course take very seriously. All primary, secondary schools and post 16 provision have access to primary mental health workers and they are available at different amounts according to different provision. I can provide more details on that availability to Councillor Knight.”

46.30 Councillor Knight asked the following supplementary question, “In 2012 the threshold tipped over 50% of teens owning a Smart phone why, when teen depression and suicide began to increase. By 2015 73% of teens owned a smart phone, the teens that spent more time on line than with friends in person were most likely to be depressed. What does the administration feel about smart phones being used in schools across the city?”

46.31 Councillor Chapman replied, “The council can give guidance to schools on what it believes the use of a smart phone should be in schools but ultimately it is up to the school as to what they advise their children in the school in how they use their smart phones. I agree that social media causes a lot of mental health issues. I would advise schools to think strongly about this and to consider how they can best protect and

advise the young people in their school to make sure that access to social media and looking at social media doesn't affect their mental health."

### **(9) Councillor Brown – Planning Enforcement**

46.32 Councillor Brown asked the following question, "Please can you tell me when we will have a full complement of planning enforcement offices to enable enforcement action to be taken in a timely fashion?"

46.33 Councillor Cattell replied, "The Planning Enforcement service is responsible for investigating alleged breaches of planning control. It is a small team and comprises of 1 Principal Planning Officer, 2 Seniors and 2 Assistant Planning Officers. In 2018, following a re-shape of the Development Management service, after our Pier review the service were able to recruit an additional Assistant Planning Officer and we now have 2 overall. Over the last few years the team have struggled to allocate and investigate all cases on receipt and the team have been managing cases on a prioritisation basis, with HMOs, alterations to listed buildings allocated on receipt and these are our two priorities at the moment. In addition, if a scheme is causing a substantial impact, this will be allocated and investigated on an 'as and when' basis. Other cases are been investigated when the officers have had the capacity.

Between 2017-2018, the service has been working on a new Enforcement Policy Document. Part of the work to prepare the document involved a consultation workshop with Members, all Members were invited. The finalised document was presented and approved at TDC Committee in September 2018 and is scheduled to be implemented in January 2019. This document is intended to provide much more certainty in respect of timescales for investigation and will provide updates to those that have taken the time to raise a query. Priorities have been introduced to manage the influx of queries and different timescales will be allocated to different cases, so people will have more certainty in the future.

In the meantime, there are still a number of unallocated cases and we have appointed two additional Assistant Planning Officers to assist with the investigation of these cases for a temporary period until the end of March 2019. Furthermore, with tasking of the Field Officers now taking place, enforcement officers are able to give the Field Officers particular tasks as well as to allocate cases for investigation. For example the Field Officers can do the site visits while they are out and about, saving the Planning Officers time not having to be out of the office. The investigation of a case can take some time to resolve as the Local Planning Authority does need to be seen as fair and reasonable. Notwithstanding this, it is accepted that some cases have been delayed and the new Enforcement Policy Document is intended to address this.

46.34 Councillor Brown asked the following supplementary question, "Would you agree with me that it is totally unacceptable that I have had to wait for nearly a year in several instances to even get cases allocated to a named enforcement officer let alone get the matters actually dealt with?"

46.35 Councillor Cattell replied, "I am really sorry to hear that and I do agree and I know you are not the only councillor who has had problems with this and I am really sorry to the residents that have had to have that uncertainty but this is why we have been putting a

lot of time and energy into this new policy and, as I have said before, on other occasions at council, it is very difficult to recruit planning officers across the board it is not just us it is most of the South East as well. But now we do have a full complement and we have additional staff and I hope that now your residents will be able to get their issues resolved.”

**(10) Councillor Druitt – Glyphosates**

46.36 Councillor Druitt asked the following question, “It is well known that glyphosate is toxic, poisonous and most likely carcinogenic and that by continuing to use it we are effectively poisoning our residents. In light of this council’s commitment in March 2016 to find alternatives and the fact that ten councils in the UK, including Lewes have already done so. Can the Chair of the Environment, Transport & Sustainability Committee tell us if we are still using glyphosate and if so why?”

46.37 Councillor Mitchell replied, “City parks uses very little herbicide on beds as most are now mulched using the woodchip provided by our tree maintenance team. Selective weed killers and grass fertilisers, which were once widely used in parks, are now significantly restricted to the small amount of fine turf that remains in our parks such as on bowling greens and cricket squares. Wherever possible we use other methods of removing or preventing weeds such as strimming, mulching and using weed rippers.

In relation to weed control on the highway, to date, it has not been practical or cost effective to use these methods in all of the places where weed growth needs to be curtailed and so our twice yearly contract does use glyphosate in accordance with current DEFRA guidance and in compliance with the Control of Substances Regulations. This governs the topical application of herbicides to the area being treated with the frequency being controlled.

Previously, Officers have explored some different options for weed removal without the use of herbicides but at that time the options available were either impractical for highway application or considerably more costly. Electric weed killers, Acetic Acid spraying, foam systems and hot water systems were all looked at but all would have been considerably more expensive than the current method.

But it is the case that the alternative technologies are improving and the costs are reducing and we would like to switch to an alternative method if practical and affordable. Officers are therefore currently exploring these options with other local authorities, including Lewes and service providers.”

46.38 Councillor Druitt asked the following supplementary question, “I find it incredible that we are still using it on highways especially as Lewes has a lot more rural area than we do and many more highways in between and they seem to do without it. I also would like to make sure that we are all aware that there is a lot of evidence that glyphosate resistant weeds have become widespread in many countries and we do run the risk as we continue to use it that we have to use ever more dangerous quantities of it in order to tackle resistant weeds. My supplementary question is “Has the council trialled ‘Foam Stream’ yet and if not why not? It is apparently very affordable, very effective and not just at dealing with weeds but also germs, chewing gum and grime which we have, as we know, become a visible embarrassment in this city.”

46.39 Councillor Mitchell replied, “My previous answer did state that foam systems have been trialled but I can give you a commitment that we are looking at all other alternative methods and that hopefully we will be able to let the next contract for our weed control using a different method.”

**(11) Councillor C. Theobald – Roundabouts**

46.40 Councillor C. Theobald asked the following question, “I would like to know what is happening to our roundabouts in the city. We were told some years ago that there would be a corporate sponsor for the whole city but this does not seem to have materialised. One of the worst roundabouts is one in Patcham along the A23, there are also a lot of others which are in very poor condition.”

46.41 Councillor Mitchell replied, “In relation to the A23 /A27 Patcham roundabout – officers have developed a plan to renovate and to improve the surface appearance of the roundabout following Highways England’s maintenance work that was carried out at last. I do believe that Patcham Ward Councillors have been briefed on the latest position and I think a contractor has now, or is about to be, appointed. In relation to other roundabouts and their appearance I think this does come down to restrictions on budgets and having to prioritise issues such as road safety works and highways maintenance above that but I will certainly feed your concerns back to officers and we will see what we can do?”

46.42 Councillor C. Theobald asked the following supplementary question, “I would like to say that we have not been briefed on this. There has been a sponsor very keen to pay for that roundabout but this does not seem to have happened. I think the council should negotiate more with that person and it is not just Patcham Roundabout, our city needs to look a lot better and our roundabouts need more care”

46.43 Councillor Mitchell replied, as that is not really a question I cannot provide a response.

46.44 The Mayor noted that the 30 minute period for Members’ oral questions had been reached and therefore the remaining 6 questions listed in the agenda and detailed below would be not be taken and would be carried over to the next council meeting in January; subject to confirmation from the councillors listed:

**(12) Councillor Page – Wheelie Bins on Pavements**

**(13) Councillor Hyde – Taxi Trade**

**(14) Councillor Deane – Artists’ Residencies**

**(15) Councillor K. Norman – Road Safety**

**(16) Councillor Gibson – Investing to Save**

**(17) Councillor Nemeth – King Alfred.**

**47 COUNCIL TAX REDUCTION SCHEME 2019**

47.1 Councillor Hamilton introduced the report and stated that he was pleased to confirm that the council would maintain its 40% contribution towards the discretionary council tax reduction fund, despite overall reductions in government funding. He believed it was important to retain the £2 admin cost and noted that this had been part of the

consultation process and had been accepted. He therefore moved the recommendations as outlined in the extract from the Policy, Resources & Growth committee.

- 47.2 Councillor Sykes moved an amendment on behalf of the Green Group which sought to enable the most vulnerable people to benefit directly by having an additional £2 to spend. He noted that year on year the burden on claimants was reducing and therefore the proposed changes would be viable as part of the overall scheme.
- 47.3 Councillor Gibson formally seconded the amendment and reserved his right to speak in the debate.
- 47.4 Councillor Daniel stated that she appreciated the spirit of the amendment but felt that there was a need to look at the budget overall and consider the benefits and the impact of welfare changes on everyone affected. It would be better to have funding to meet discretionary elements rather than seek to use administrative costs to do so.
- 47.5 Councillor Janio stated that the country had a highly productive economy and the introduction of universal credit had helped to improve the incentive to work. There had been difficulties with the implementation of the scheme but overall it would lessen the impact on claimants. The proposed amendment would see an increase in costs and therefore he could not support it.
- 47.6 Councillor Page stated that enabling claimants to have an additional £2 in their pocket had to be a benefit and therefore the amendment should be supported. The discretionary fund was only helpful if people were aware of it.
- 47.7 Councillor Gibson stated that the difficulty was that the council was being asked to decide on the council tax reduction scheme ahead of any decisions on the budget in February. He believed the consultation had been limited and this added to the difficulty in making any changes to the overall scheme but if the council was minded to it could accept the amendment and make changes to the discretionary fund.
- 47.8 Councillor Hamilton noted the comments and stated that he could not accept the amendment as it could result in an increase in the number of transactions to be dealt with. There had been an opportunity to discuss any changes to the scheme and the need to reduce the level of administrative costs had been recognised and taken to account. The amendment would result in increased costs and he could not support that.
- 47.9 The Mayor noted that the amendment had not been accepted and therefore put it to the vote which was lost by 10 votes to 19 with 19 abstentions.
- 47.10 The Mayor then put the recommendations as listed in the extract from the Policy, Resources & Growth Committee held on the 6<sup>th</sup> December to the vote which was carried unanimously.
- 47.11 **RESOLVED:**
- (1) That the revised Council Tax Reduction Scheme incorporating the changes in paragraphs 3.8 to 3.12 be approved; and

- (2) That the Executive Director for Finance & Resources be authorised to amend the Council's Council Tax Reduction Scheme (Persons who are not pensioners), (Brighton & Hove City Council) 2013 to reflect the changes at 3.8 to 3.12 of the report and to take all steps necessary and incidental to the introduction of the revised Scheme.

47.12 The Mayor noted that the meeting had been in session for almost two hours and stated that she would adjourn the meeting for half-an-hour for a refreshment break.

47.13 The Mayor then adjourned the meeting at 6.20pm.

47.14 The Mayor reconvened the meeting at 6.50pm.

## **48 EMPTY HOMES COUNCIL TAX PREMIUM**

### **48.1 RESOLVED:**

- (1) That the Empty Home Premium be increased to the maximum levels as set out in table 1 at paragraph 3.2 of the report after two years of the dwelling remaining empty;
- (2) That formal determinations for the financial year commencing on 1 April 2019 and subsequent financial years as set out in Appendix 3 be agreed; and
- (3) That delegated authority be granted to the Executive Director of Finance & Resources to take all appropriate steps to implement and administer the recommendations in (1) and (2) above, including the publishing of any related data or information in accordance with statutory requirements.

## **49 A NEW ECONOMIC STRATEGY FOR BRIGHTON & HOVE**

49.1 Councillor Yates introduced the report which detailed the proposed economic strategy for Brighton & Hove that had been developed with Brighton & Hove Economic Partnership and Regeneris. The strategy sought to provide a common goal and purpose that all city partners could work towards. He noted that an understanding of the economy as a whole was important for the city, the region and at a national level. A number of objectives set out for 2013-18 had been met and the intention was to take the strategy forward with five themes having been identified and agreed with partner organisations. He therefore recommended the strategy to the council for approval.

49.2 Councillor Nemeth stated that he had a number of concerns about the proposed strategy and felt that its remit was too wide and detracted from being an economic strategy. He felt that the overall objectivity in developing the strategy had been missed and meant that business owners would not relate to it. There were no fresh comparisons within the report e.g. other cities home and abroad could have been used as comparators and a lack of testimonials from respected business people in the city. He believed the recommendations were devoid of a clear strategy and failed to address

areas such as major projects, the redevelopment of Brighton Town Hall and the creation of a shopping district. He could not therefore support the report.

- 49.3 Councillor Druitt welcomed the strategy and stated that he believed it gave a clear message that the city was open for business and showed that the city's economy affected all areas of life.
- 49.4 Councillor Bewick stated that he felt it was a poor report and lacked any clear ambition or creativity. It did not consider how other cities were moving forward and failed to consider the impact of the digital community in the city. There was a lack of urgency for example no reference to the Madeira Arches and overall needed a lot more work before he could support it.
- 49.5 Councillor Wealls stated that he had to agree with Councillor Bewick and felt that the report could have been written for any city in the country. There was a lack of reference to the importance of education and the ability for young people to contribute to the economy and how disadvantaged children should be helped. Overall he felt it was a bland report.
- 49.6 Councillor Littman noted that the report referred to importance of Gatwick Airport in relation to the city's regeneration the regional economy but this contradicted the aspiration to reduce greenhouse emissions. As air travel was one of the largest contributors to greenhouse emissions he was unsure whether the report favoured air travel or sustainability.
- 49.7 Councillor Miller stated that he felt it was not a particular good report and taking into account the fact that the council had a city regeneration and economic development team, questioned why they had not written the strategy rather than use an outside agency at considerable cost.
- 49.8 Councillor Peltzer Dunn referred to the implications set out in the report for doing nothing and stated that he hoped the conclusion was wrong in regard to how the economy would develop.
- 49.9 Councillor Yates noted the comments and accepted that arguments against the strategy could be made. However, it was important to work with partners and the document was owned collectively by partner organisations in the city. It was also necessary to refer to housing and transport as they were factors that influenced the economy and needed to be taken into account. It was also important to build capacity to enable businesses to grow and to work with the Local Enterprise Partnership so that small businesses could scale up etc. He felt it was important to have the Brighton Met involved and hoped that the council would support the strategy.
- 49.10 The Mayor noted that the recommendation to adopt the strategy had been moved and put it to the vote which was carried by 25 votes to 19 with 2 abstentions.
- 49.11 **RESOLVED:** That the new Economic Strategy be adopted as part of the Council's Policy Framework.

## 50 GAMBLING POLICY REVIEW

- 50.1 Councillor O'Quinn introduced the report which detailed the review of the 2005 Gambling Policy which was required every three years and recommended that the revised policy be adopted by the Council. She commended the work of the Licensing Team and especially the Regulatory Services Manager who had also been recognised nationally for his expertise in the area. She noted that whilst changes could be made to the gambling policy, the proliferation of on-line gambling was more difficult to address but had significant consequences for those who were vulnerable to gambling addiction.
- 50.2 Councillor Hyde welcomed the report and noted that Brighton & Hove had been highlighted by the Gambling Commission as an area of good practice and stated that was down to the excellent work of the Licensing Team.
- 50.3 Councillor Deane also welcomed the report and stated that gambling was not generally on people's radar as an issue and whilst recent proposals to change aspects such as the reduction of a maximum amount to £2 for gambling machines was good news, more needed to be done to address the impact of gambling addiction.
- 50.4 Councillor Page welcomed the report and stated that there was a need to be as bold as possible in seeking to manage gambling activities in the city. He suggested that privacy booths were one element that encouraged gambling and should be removed. There were many problems associated with gambling including health and mental health issues which then impacted on other services.
- 50.5 Councillor O'Quinn welcomed the comments and stated that the Licensing Team was forward thinking in tackling issues associated with the gambling. The policy had been revised and she recommended it to the council but noted that the issue of on-line gambling was a growing concern.
- 50.6 The Mayor noted that the recommendation from the Licensing Committee had been moved and put it to the vote which was carried unanimously.
- 50.7 **RESOLVED:** That the final Statement of Gambling Policy as set out in appendix 1 to the report be approved and adopted by the Council.

## 51 STATEMENT OF LICENSING POLICY REVIEW

- 51.1 Councillor O'Quinn introduced the report which detailed the outcome of a review of the Statement of Licensing Policy and the recommendation of the Licensing Committee for the revised policy to be adopted by the Council. She noted that an extensive consultation exercise had been undertaken and had led to the redefinition of café bars to cafes in regard to ceasing the sale of alcohol from such establishments. She also wished to applaud Councillor Deane for her work in bringing this matter forward which had then been taken up by the committee.
- 51.2 Councillor Hyde stated that she wished to commend the report to the council and noted that those Members who served on Licensing Panels had expressed their concerns about the proliferation of café bars and fully supported the re-designation.

- 51.3 Councillor Deane supported the comments and thanked both Councillors O'Quinn and Hyde for their joint work and the officers for bringing forward the revised policy. There was a clear need to address the problems associated with alcohol and the restriction and changes to the special stress area as outlined in the report would help.
- 51.4 Councillor Wealls thanked Councillors O'Quinn, Hyde and Deane and the Licensing officers for their work in bringing the revised policy to the council and hoped that it would see an improvement in regard to the anti-social behaviour encountered in central Hove.
- 51.5 Councillor O'Quinn thanked everyone for the comments and stated that the council had a fantastic licensing team and should be proud of the work undertaken. She believed it was a good example of cross-party working and recommended the policy to the council.
- 51.6 The Mayor noted that the recommendation of the Licensing Committee had been moved and put it to the vote which was carried unanimously.
- 51.7 **RESOLVED:** That the revised Statement of Licensing Policy as detailed in the report be approved and adopted by the Council.

## 52 REVIEW OF THE MEMBERS ALLOWANCES SCHEME

### 52.1 **RESOLVED:**

- (1) That the new Members Allowances Scheme for the payment of allowances in 2019/20 be approved with effect from the Annual Council Meeting in May 2019; subject to the implementation of the Basic Allowance from the 6<sup>th</sup> May 2019 as detailed in the IRP's report and the Scheme in appendix 7 to the report;
- (2) That the Chief Executive be authorised to issue the Brighton & Hove Members' Allowances Scheme for 2019-23 in accordance with the regulations following Council approval and subject to any additional recommendations of the Panel approved by the Council prior to the 2019 May elections;
- (3) That the Monitoring Officer be authorised to amend the Constitution to reflect the new Members Allowances Scheme accordingly; and
- (4) That where there are any changes to any role listed as attracting a Special Responsibility Allowance under the Scheme, and the revised role is substantially the same as the previous role in terms of the nature or level of responsibility; the Special Responsibility Allowance shall continue to apply to the new role. This is subject to the Independent Remuneration Panel being consulted and agreeing that it is substantially the same role.

## 53 REVIEW OF THE CONSTITUTION - DECEMBER 2018

- 53.1 Councillor Yates introduced the report and noted that the proposed changes to the Constitution had been through the Constitution Review Working Group and PR&G. He stated that the Constitution was a constantly moving document and a demonstration of cross-party working and support. He therefore moved that the recommendations of the

Policy, Resources & Growth Committee be approved and stated that he was happy to accept the Green Group's amendment.

- 53.2 Councillor Sykes formally moved an amendment to the recommendation on behalf of the Green Group and stated that he had raised concerns at the PR&G committee meeting and wanted to ensure that public participation in the democratic process was not curtailed. He therefore felt it was important for the Constitution Review Working Group to review the process in due course.
- 53.3 Councillor Mac Cafferty formally seconded the amendment and stated that it was important to enable the public to hold the Administration to account. He acknowledged the previous discussion at the PR&G committee meeting and the reassurances given by the Monitoring Officer and welcomed the acceptance of the amendment.
- 53.4 Councillor Wares endorsed the comments and welcomed the amendment and noted that the Constitution Review Working Group regularly reviewed the Constitution as the council and circumstances changed. It was important to be open to change and paramount to remain transparent in terms of the democratic process.
- 53.5 Councillor Littman noted that councillors were able to ask questions on behalf of residents and were not as restricted in regard to public questions. He also welcomed the decision of the Constitution Review Working Group to remove full Council from the list of bodies in relation to public involvement as he had not wanted to see questions limited if they were legitimate.
- 53.6 The Mayor noted that Councillor Yates had declined his right of reply and that the amendment had been accepted. She therefore moved that the recommendations as amended be approved and put them to the vote which was carried unanimously.
- 53.7 **RESOLVED:**
- (1) That the proposed changes to the Council's Constitution recommended in paragraph 2.3 of the report be approved and adopted;
  - (2) That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy, Resources & Growth Committee and by Council, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes;
  - (3) That the changes proposed in paragraph 2.3 of the report come into force immediately following their adoption at full Council;
  - (4) That proposed changes set out in paragraph 2.4 of the report come into force immediately; and
  - (5) That the proposed changes set out in paragraph 2.3 that refer to paragraphs 4.5-4.8 (Council Procedure Rules – Public Questions) are subject to a review, to be brought back to a meeting of the Constitutional Review Working Group in 6 months' time.

**54 APPOINTMENT OF HONORARY RECORDER****54.1 RESOLVED:**

- (1) That the continuation of the role of Honorary Recorder of the Brighton & Hove be agreed;
- (2) That Her Judge Christine Laing QC be appointed as Honorary Recorder of Brighton & Hove Council during her tenure as Resident Judge at Lewes Crown Court; and
- (3) That the Monitoring Officer be granted delegated authority to write to Her Honour Judge Christine Laing QC to notify her of her formal appointment.

**55 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION:****(1) CLIMATE AND BIODIVERSITY EMERGENCIES**

55.1 The Notice of Motion as listed in the agenda was proposed by Councillor Sykes on behalf of the Green Group and seconded by Councillor Greenbaum.

55.2 Following a debate on the matter in which councillors Mitchell, Janio, Gibson, Hill, Morris, O'Quinn and Sykes spoke, the Mayor then put the following motion to the vote:

“This Council notes with concern the recent Intergovernmental Panel on Climate Change (IPCC) report on global climate change impacts and the recent Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) reports on global species and habitat loss. Council notes also that our coastal city on the edge of the South Downs is affected by these threats, which are projected to intensify.

Further to this, Council:

- (1) Declares its recognition of global climate and biodiversity emergencies;
- (2) Requests the Policy, Resources & Growth Committee to:
  - undertake a short review of BHCC governance policies and progress aimed at addressing locally these twin threats and to report on findings;
  - consider a target date of 2030 for whole city carbon neutrality;
  - consider how the Council can strengthen local protection and enhancement of species, habitats and ecosystems services under available powers;
- (3) Request the Chief Executive to write to the Chancellor of the Exchequer stating the concern of the Council with respect to the above, the likely national impact on the economy and on the wellbeing of citizens, and requesting government funding be made available to implement swift appropriate actions in response.

55.3 The Mayor confirmed that the motion had been agreed unanimously.

### **(2) END OF AUSTERITY**

55.4 The Notice of Motion as listed in the agenda was proposed by Councillor Littman on behalf of the Green Group and seconded by Councillor Phillips.

55.5 Following a debate on the matter in which Councillors Daniel and Littman spoke, the Mayor then put the following motion to the vote:

“This Council welcomes the Prime Minister’s announcement that ‘Austerity’ is finally at an end and that unprecedented cuts to public expenditure will be reversed<sup>1</sup>.”

As a result, this Council requests the Chief Executive:

- To write to the Chancellor of the Exchequer asking exactly how soon we can expect Government funding for public services, including but not limited to: The Revenue Support Grant to BHCC and all other Local Authorities; and funding for the Police service and other emergency services, to return to their 2009-10 levels.
- To write to the Prime Minister to ask when we can expect the UK will review welfare policies<sup>2</sup>, such as the current form of Universal Credit<sup>3</sup>, and other policies that have disproportionate or adverse effects on women, children, and disabled people<sup>4</sup>.”

55.6 The Mayor confirmed that the motion had been carried by 28 votes to 18 with no abstentions.

### **(3) HRA HOUSING CAP**

55.7 The Notice of Motion as listed in the agenda was proposed by Councillor Mears on behalf of the Conservative Group. She welcomed the Government’s decision to remove the cap on the HRA and noted the implications for the council in terms of providing council housing and ensuring that developers met the 40% affordable housing element in new projects. She therefore sought a report to the next meeting of the Housing & New Homes Committee and noted that at the last Council meeting the Chair of the Committee indicated her support to review the position.

55.8 Councillor Bell formally seconded the notice of motion and reserved his right to speak.

55.9 Councillor Gibson moved an amendment on behalf of the Green Group and stated that it sought to strengthen the motion and noted the need to suspend the Right to Buy option, in order to retain council housing rather than see the continued loss of housing at a faster rate than it was being replaced.

55.10 Councillor Drutt formally seconded the amendment and reserved his right to speak.

55.11 Councillor Hill stated that the lifting of the HRA Cap was a positive step and noted that a report had been considered at the last Housing & New Homes Committee meeting in November. She also noted that the council was already delivering affordable new

homes and in partnership with Hyde Housing Association would be able to provide further homes in the future.

55.12 Councillor Druitt stated that there was a need to look at why the housing situation was in the position it was and to seek to address that, hence the proposed amendment. He also noted that during the previous Green Administration there had been some social rent housing built and this needed to be provided in the future.

55.13 Councillor Bell stated that he believed a report should come to the Housing & New Homes Committee in January and then should it be appropriate the aims of the Green amendment could be put forward. He felt that the report needed to be considered in the first instance and therefore could not support the amendment at this stage. There was also a concern that with the Joint venture, HRA land could be cherry-picked which was not necessarily a good thing. The aim had to be to provide more homes at a reasonable cost.

55.14 Councillor Gibson moved a point of clarification in that the current Joint Venture was based on General Fund land rather than HRA.

55.15 Councillor Mears noted the comments and confirmed that the amendment would not be accepted and noted that previous Governments had not attempted to remove the Right to Buy and that the HRA had already paid the General Fund for sites to build on.

55.16 The Mayor noted that the amendment had not been accepted and put it to the vote which was carried by 28 votes to 18.

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

“This council resolves:

- (1) To call upon the Chair of Housing to bring a report to the next meeting of the Housing & New Homes Committee, on 16<sup>th</sup> January 2019, that details a revised policy in the light of changes to HRA Borrowing Cap and the failure of current policies to achieve replacement of truly affordable social rents lost under the ‘Right to Buy.’ (RTB);
- (2) Since LGA research reveals councils have only been able to replace 1 in 5 homes sold under the RTB since 2011/12, to ask that the Chief Executive writes to the Secretary of State, requesting the option for councils to suspend RTB sales in areas where there is a shortage of affordable homes;
- (3) That the Chief Executive writes to the Secretary of State asking that the 30% limit on investment of RTB receipts in affordable housing be lifted; and that councils are able to include the full value of council land in the cost of building, thereby enabling scope for providing new homes at living and social rents.”

55.18 The Mayor confirmed that the motion had been carried by 28 votes to 18 with no abstentions.

**(4) FAILURE TO PROGRESS THE KING ALFRED PROJECT**

- 55.19 The Notice of Motion as listed in the agenda was proposed by Councillor Nemeth on behalf of the Conservative Group. He noted that there was a general dissatisfaction held by residents with the King Alfred project and there appeared to be a lack of responsibility for its progress. The previous disbandment of the King Alfred Project Board in favour of the Strategic Delivery Board had not helped and there appeared to be no recognition of the failings of Crest Nicholson to adhere to the development brief and their continued attempts to change its requirements. He believed that clear action was needed and a decision made on the future of the project.
- 55.20 Councillor Wealls formally seconded the motion and reserved his right to speak in the debate.
- 55.21 Councillor Gibson moved an amendment on behalf of the Green Group which sought to recognise the failings of the Developers in taking the project forward and sought to stress that at the very least it should include 20% affordable housing. He noted that despite having a Government grant of £15.2m the Developers were seeking to reduce the affordable contribution and suggested that when the next report came to committee in January, consideration should be given to taking the project forward in-house.
- 55.22 Councillor Mac Cafferty formally seconded the amendment and stated that the uncertainty over the project had gone on for too long and residents needed to know what was happening. The Developers had treated the council in an unacceptable manner and needed to be held to account and the council should explore all options available to ensure the project can be delivered.
- 55.23 Councillor Yates formally moved an amendment on behalf of the Labour & Co-operative Group and stated that there were 49 days left to get a deal and noted that successive Administrations had been unable to address the need for a new state of the art leisure centre. There had been a number of missed opportunities and if an agreement could not be reached, then alternative options had to be considered. The Strategic Delivery Board had cross-party representatives and was responsible for overseeing all the major projects coming forward in the city. There was a need for all councillors to enable the delivery of the project.
- 55.24 Councillor Moonan formally seconded the amendment and reserved her right to speak in the debate.
- 55.25 Councillor Druitt stated that the nub of the problem had been the dissolution of the King Alfred Project Board in favour of the Strategic Delivery Board (SDB). The SDB was not able to keep fully abreast of all the major projects and therefore unable to manage them effectively.
- 55.26 Councillor Peltzer Dunn welcomed the Green Group's amendment but stated that he could not support the Labour & Co-operative amendment. He believed that the responsibility for the project lay with the Administration and the chosen Developer and they needed to be held accountable for its delivery.

- 55.27 Councillor Bewick stated that delivery of the project was a collective endeavour which was overseen by the committee system and with only 49 days left, all councillors should be working together towards a solution that was right for the city.
- 55.28 Councillor Mears noted that a number of councillors had not been on the Council in 2008 when the first scheme failed and a plan B was required. She hoped that the Leader of the Council had a Plan B and if the scheme was to fail then the city would need to know what was going happen.
- 55.29 Councillor Hamilton stated that there had been a number attempts by the previous Hove Borough Council to resolve the provision of a new leisure facility without anything coming to fruition. The Gehry scheme in 2007 had planning permission granted but the Developer failed to deliver on the project and the following Administration failed to bring forward any further plans. There was clearly a need to work together on this issue if a viable project was to be taken forward.
- 55.30 Councillor Moonan stated that residents across the city wanted a new sports facility and whilst several schemes had been brought forward over the years, the council had done all it could to bring a viable scheme forward which had cross-party support. The Developer was seeking to alter the project's specifications in favour of profit margins and this could not be accepted. The Labour & Co-operative Group's amendment sought to clarify where the responsibility was and to enable the scheme to be signed-off or an alternative option agreed.
- 55.31 Councillor Wealls referred to the notes of the King Alfred Project Board meetings in 2014 and noted that he had raised concerns over aspects of a scheme to provide a new sports centre and housing. He accepted that it was a challenging site for any developer but believed that the council had been hoodwinked by Crest Nicholson and there was now a need to have a level playing field. For that reason he could not support the Labour & o-operative amendment but would accept the Green amendment.
- 55.32 Councillor Nemeth welcomed the Green amendment and stated that he shared Councillor Gibson's concerns and felt that there should be a lead Member responsible for the project. Whilst the Strategic Delivery Board had an oversight, it was not able to review every project fully. He was also concerned that should the Developer sign the Development Agreement, they could leave the site untouched for a year without any penalty.
- 55.33 The Mayor noted that the Green Group's amendment had been accepted and therefore put the following motion as amended to the vote:

"This Council sadly notes the failure of the Administration to make sufficient progress on the redevelopment of the King Alfred site since Crest Nicholson was chosen as Preferred Developer in January 2016.

This Council therefore resolves to:

1. Formally censure the Administration for its failure to make progress.

2. Request that the Administration immediately makes clear which Councillor is overseeing the project.
3. Underline its wish to deliver the agreed aims of the original King Alfred Project proposals, including seeking to maximise the delivery of affordable housing to achieve the 20% pledged by Crest Nicholson and sports facilities therein.
4. To request that the Chief Executive write to Crest Nicholson, expressing dismay that despite the award of £15.2m in government funding, Crest Nicholson is seeking to reduce its affordable housing contribution to maintain its desired profit levels.
5. That in the event of the failure of the development agreement with Crest, that the council explores 'in house' options for the development."

55.34 The Mayor noted that the motion as amended had been carried unanimously and therefore put the Labour & Co-operative Group's amendment to the revised motion to the vote which was lost by 18 votes to 28 with no abstentions.

55.35 The Mayor therefore put the revised motion to the vote (as amended by the Green Group's amendment) and confirmed that it had been carried by 28 votes to 0 with 18 abstentions.

## 56 CLOSE OF MEETING

56.1 The Mayor closed the meeting and wished everyone a happy Christmas and a happy New Year.

The meeting concluded at 9.15pm

Signed

Chair

Dated this

day of

2019

<b>Subject:</b>	<b>Commit Brighton and Hove to Zero Carbon Emissions by 2030</b>		
	<b>Petition for Debate</b>		
<b>Date of Meeting:</b>	<b>31 January 2019</b>		
<b>Report of:</b>	<b>Executive Lead Officer for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	Mark Wall	<b>Tel:</b> 01273 291006
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

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

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 The e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 1,310 signatures confirmed at the time of printing the report.

**2. RECOMMENDATIONS:**

- 2.1 That the petition is noted and referred to the Environment, Transport & Sustainability Committee for consideration at its meeting on the 19<sup>th</sup> March 2019.

**3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:****3.1 The Petition**

We the undersigned petition Brighton & Hove Council to declare a climate emergency and put in place a more ambitious commitment of making our city carbon neutral by 2030.

Lead Petitioner – Caitriona Vines

Additional Information:

**Justification:**

We believe that a sustainable low-carbon future is essential for our own sake, and that of future generations – and is needed urgently to avoid the dangers of runaway climate breakdown.

This target will allow us to support the international commitment to keep the planet's temperature rise below 1.5°C (above pre-industrial levels) as agreed under the Paris Agreement. A recent report published by the International Panel on Climate Change (IPCC) states that in order for us to limit the global temperature increase to 1.5°C, worldwide CO2 emissions need to decline by 45% from 2010 levels by 2030 and reach net zero emissions by 2050 (IPCC, 2018).

We have taken inspiration from Bristol City Council who earlier this month unanimously backed a motion which called on the Mayor of Bristol to declare a climate emergency and for the city's carbon neutrality target to be brought forward by 20 years to 2030.

#### References

IPCC. (2018) Global warming of 1.5°C: Summary for Policymakers, p. 18.

Available at: <https://www.ipcc.ch/index.htm> [Accessed 21.11.18]

Green Party Bristol. (2018) Greens declare a Climate Emergency and bring Bristol's CO2 emissions target forwards 20 years. Available at:

<https://bristolgreenparty.org.uk/news/greens-declare-a-climate-emergency-and-bring-bristols-co2-emissions-target-forwards-20-years>

#### **4. PROCEDURE:**

4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
- (ii) The Mayor will then open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Committee Chair to respond to the petition and move a proposed response. The Mayor will then call on those councillors who have indicated a desire to speak in the matter, before calling on the relevant Committee Chair to respond to the debate;
- (iii) An amendment to the recommendation in paragraph 2.1 of the report or to add additional recommendations should be submitted by 10.00am on the day of the meeting; otherwise it will be subject to the Chair's discretion as to being appropriate. Any such amendment will need to be formally moved and seconded at the meeting;
- (iv) After the 15 minutes set aside for the debate, the Mayor will then formally put:
- (v) (a) Any amendments in the order in which they are moved, and  
(b) The substantive recommendation(s) as amended (if amended).

<b>Subject:</b>	<b>Stop Zippos Circus from Returning to Brighton and Hove to Exploit Animals for Entertainment Petition for Debate</b>		
<b>Date of Meeting:</b>	<b>31 January 2019</b>		
<b>Report of:</b>	<b>Executive Lead Officer for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	Mark Wall	<b>Tel:</b> 01273 291006
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

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

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 The e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 5,606 signatures confirmed at the time of printing the report.

**2. RECOMMENDATIONS:**

- 2.1 That the petition is noted and referred to the Tourism, Development & Culture Committee for consideration at its meeting on the 7<sup>th</sup> March 2019.

**3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:****3.1 The Petition**

Stop Zippos Circus from returning to Brighton & Hove to exploit animals for entertainment.

<https://www.change.org/p/brighton-hove-city-council-stop-zippos-circus-from-returning-to-brighton-hove-to-exploit-animals-for-entertainment>

Lead Petitioner – Victoria Wood

Additional Information:

Animals are not here for our entertainment and should not be made to perform in the circus. We want Brighton and Hove City Council to repeal, revoke, and/or reject any proposed or confirmed licence/permission provided to Zippos Circus for their 2019 scheduled tour, and any tour thereafter.

Their use of domestic animals, including horses and budgies is not necessary, and while Zippos claim they follow animal welfare rules and regulations, the fact remains that these animals are made to perform, and carry out tasks that are unnatural. The training required to perform these tasks is often not observed/monitored by the relevant regulatory bodies and can breach welfare legislation (usually involves punishment using whips and depriving the animals of food until they perform the tricks required by the trainers). By allowing Zippos Circus to return, year after year, Brighton and Hove City Council are condoning these questionable training methods.

Horses performing in a tent full of people is uncharacteristic and no doubt causes them stress and anxiety (by their very nature, horses are timid and would normally be startled by the loud noises and flashing lights used in the circus). Whips are used on horses in the performance, and while not performing, the horses are kept in cramped conditions, tethered, unable to roam freely.

We acknowledge that the RSPCA and the council's animal wardens carry out welfare checks. However, these inspections do not take into account the methods used to train animals, the transportation of animals, and the animals schedule before and after they leave Hove Lawns. At no point is the holistic welfare of the animal taken into consideration.

We also question why Zippo's Circus do not advertise their use of domestic animals on their poster. It seems unethical to fail to warn customers about the use animals when it is clearly an important issue for many people.

We, the undersigned, believe that any show involving animals is cruel and unnecessary, especially when it comes to Zippos. Isn't it time ALL animal circuses were committed to the history books?

The council have given us the opportunity to present our case to them when they make their decision in January. Please support us in our efforts by signing this petition - let's send a strong message to the council, let them know that we do not agree with the use of animals in the circus. We cannot make an effective case without your help!

#### **4. PROCEDURE:**

- 4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:
  - (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
  - (ii) The Mayor will then open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Committee Chair to respond to the petition and move a proposed response. The Mayor will then call on

those councillors who have indicated a desire to speak in the matter, before calling on the relevant Committee Chair to respond to the debate;

- (iii) An amendment to the recommendation in paragraph 2.1 of the report or to add additional recommendations should be submitted by 10.00am on the day of the meeting; otherwise it will be subject to the Chair's discretion as to being appropriate. Any such amendment will need to be formally moved and seconded at the meeting;
- (iv) After the 15 minutes set aside for the debate, the Mayor will then formally put:
  - (v) (a) Any amendments in the order in which they are moved, and
  - (b) The substantive recommendation(s) as amended (if amended).



<b>Subject:</b>	<b>Make Brighton and Hove Events Plastic Free Petition for Debate</b>		
<b>Date of Meeting:</b>	<b>31 January 2019</b>		
<b>Report of:</b>	<b>Executive Lead Officer for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	Mark Wall	Tel: 01273 291006
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

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

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 The e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 3,421 signatures confirmed at the time of printing the report.

**2. RECOMMENDATIONS:**

- 2.1 That the petition is noted and referred to the Tourism, Development & Culture Committee for consideration at its meeting on the 7<sup>th</sup> March 2019.

**3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:****3.1 The Petition**

Make Brighton and Hove Events Plastic Free

We, the undersigned, call on Brighton & Hove City Council and the organisers and sponsors of the city's biggest public events to commit to eliminating the use of single-use plastics by 2020 at the latest.

<https://actionnetwork.org/petitions/make-brighton-and-hove-events-plastic-free>

Lead Petitioners – Carole Mortimer and Sarah Kingdom

Additional Information:

Internationally, each year, over 8 million tonnes of plastic finds its way into our oceans and some of it already turns up on Brighton beach, but the impact is even worse when city events create vast amounts of additional waste such as

water bottles from the marathon or disposable plastic glasses during the Festival and Pride. It doesn't have to be this way. Events should be using alternatives such as stack cup and water refill stations.

In the summer of 2018, Green Councillors persuaded Brighton & Hove's Labour Council to introduce new criteria to ensure city events go 'plastic free' and in particular that event organisers eliminate single-use plastics as a condition of their event permission. Following this success the Councillors presented another proposal to investigate food waste collections and an increase in plastic recycling, this passed, but without the support of a single Labour Councillor.

Now we need action on this progress and to ensure that future events in our city are plastic free: no ifs, no buts. By 2020 at the latest no major public event should be given permission, funding or sponsorship if they are using single-use plastics

#### **4. PROCEDURE:**

- 4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:
- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
  - (ii) The Mayor will then open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Committee Chair to respond to the petition and move a proposed response. The Mayor will then call on those councillors who have indicated a desire to speak in the matter, before calling on the relevant Committee Chair to respond to the debate;
  - (iii) An amendment to the recommendation in paragraph 2.1 of the report or to add additional recommendations should be submitted by 10.00am on the day of the meeting; otherwise it will be subject to the Chair's discretion as to being appropriate. Any such amendment will need to be formally moved and seconded at the meeting;
  - (iv) After the 15 minutes set aside for the debate, the Mayor will then formally put:
  - (v) (a) Any amendments in the order in which they are moved, and  
(b) The substantive recommendation(s) as amended (if amended).

**WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions have been received from Councillors and will be taken as read along with the written answer which will be included in an addendum that will be circulated at the meeting:

**(1) Councillor: Janio**

In 2017, Brighton and Hove City Council removed 'The Coal Yard adjacent to Sackville Trading Estate' from the *East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan*. Why did the Labour Administration not attempt to remove Hangleton Bottom from the plan, and do the Labour administration have any plans to remove it at the earliest opportunity?

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

**(2) Councillor Mac Cafferty**

An astonishing 1 in 6 people in the city wait a whole week to see their GP with too many waiting longer; 10 GP surgeries in Brighton and Hove have now closed in the last couple of years. What representation has the Administration made about this intolerable situation to the Clinical Commissioning Group and when are these waiting figures going to decrease?

Reply from Councillor Barford – Chair of the Health & Wellbeing Board

**(3) Councillor Mac Cafferty**

The Association of Directors of Adult Social Services described this year's proposed government funding settlement for adult social care as "both inadequate and temporary." How is the Administration lobbying government for adequate long-term funding for adult social care?

Reply from Councillor Barford, Chair of the Health & Wellbeing Board

**(4) Councillor Mac Cafferty**

As ownership figures for electric vehicles continue to rise in the city what work is being done to ensure that the location of charge points does not take valuable pedestrian space? This could include for e.g.: designs which are integrated into a street lamp column or are attached to it; and installing build-outs where footway widths are not sufficient.

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

**(5) Councillor Mac Cafferty**

In a Yougov ClientEarth poll\* from August 2018, two thirds are in favour of breaking up the Big Six's share of the energy market to favour smaller, cleaner, and locally owned energy systems. The poll also indicated that over 60% of U.K. households want to install solar plus storage solutions. 1 April marks the closure of the favourable feed-in tariff scheme to new applicants despite the large growth of sustainable energy achieved under the scheme. What support is the Administration offering to the many local sustainable energy cooperatives to continue their valuable work?

\*<https://www.documents.clientearth.org/wp-content/uploads/library/2018-08-20-clientearths-climate-snapshot-coll-en.pdf>

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

**(6) Councillor Mac Cafferty**

Across the entire council workforce, how many staff in which departments are currently engaged in a redundancy consultation process?

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

**(7) Councillor Sykes**

Libraries: Please can Councillor Daniel provide the current annual value of the Book Fund and how this has changed since 2010. In addition please can Councillor Daniel give the separate annual cost to the Council of the bibliographical services provided by Bertram's and how this has changed if at all since 2010?

Reply from Councillor Daniel, Chair of the Neighbourhoods, Inclusion, Communities & Equalities Committee

**(8) Councillor Sykes**

Waste and recycling: Please can Councillor Mitchell provide an annual figure (in kilogrammes) for Brighton and Hove per household domestic waste arisings (to the Energy Recovery Facility), domestic recycling (to the Hollingdean Materials Recovery Facility) and domestic garden waste (to Veolia's composting facility) from 2010 to date?

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

## **(9) Councillor Druitt**

Impact of Brexit:

On 21 July 2016 Councillor Deane and I submitted a Motion to Council which was passed on the impact of Brexit. The Motion requested that:

- the Chief Executive write to the Government's new EU unit setting out concerns with the local impact of any loss of EU funding in research, higher education, infrastructure and community support, the value of free movement of people to Brighton & Hove's economy, as well as the impact on workers' rights and the environment in Brighton and Hove if legal obligations and protections under EU law are weakened on leaving the EU;
- Officer reports be presented to future meetings of the relevant Committees setting out the likely impacts of Brexit, and recommendations on appropriate mitigation measures that could be taken within areas of each committee's portfolio;
- the Chief Executive ensure Brighton and Hove plays a full part in the national feedback process initiated by the LGA on the fallout of Brexit.

The motion was passed but I haven't seen officer reports of the kind described above presented to any committees I have been on, and I have never heard of the outcome of any actions taken by the Chief Executive as a result of this Motion. Can I ask what has been done in response to this motion, which committees have received specific Brexit impact reports and what actions have been taken as a result to prepare the city in the eventuality that Brexit, in one form or other, actually happens?

Reply from Councillor Yates – Leader of the Council

## **(10) Councillor Druitt**

Making vacant council buildings available for use as homeless shelters:

On the 26th January 2017 Councillor Gibson and I submitted a motion to Council asking that the Policy, Resources & Growth Committee commission and give consideration to an urgent report that would enable the City Council to:

- Make policy that allows for all vacant City Council buildings to be made freely available for use as temporary homeless shelters, to be run by community charity and voluntary organisations that are able and willing to do so;
- Publicises the availability of vacant City Council buildings to the voluntary and community sector, and calls for expressions of interest from the community to operate these spaces;
- Make preparations for this at the earliest possible time, given the onset of winter, and offers clear guidance frameworks and assistance to all interested groups, particularly with navigating any regulatory requirements; and
- Sets Terms of Reference for use of the spaces, conditions of use and clearly details the arrangements for reclaiming possession of the relevant premises when circumstances require it.

We all know about the Brighton Centre Night Shelter that was set up in response to this Motion, and I am very grateful to the Administration and officers

for making this happen – it has no doubt made a world of difference to those using it. However, this Motion called specifically for vacant Council buildings to be made available to the community, that availability of buildings be publicised and that guidance was developed to facilitate the use of Council buildings for this purpose. Given that this motion was passed can I ask what has been done to make this happen?

Reply from Councillor Moonan – Lead Member for Rough Sleeping

**(11) Councillor Drutt**

Cycling Strategy:

On 20th July 2017 Councillor Littman and I submitted a Motion to Council to request that a report be brought to Environment, Transport & Sustainability Committee outlining options for implementing a specific and ambitious cycling strategy for Brighton and Hove, with information included that would help to:

- Identify what progress has been made against the cycling goals of the Local Transport Plan, to encourage a healthy cycling culture whereby cycling is safe, easy and enjoyable;
- Explore options for the continued development of better cycling infrastructure such as the creation of a ‘Brighton and Hove Cycle network’ (modelled on the successful London Cycle Network) of joined up and marked routes, connecting sections of ‘stranded’ routes and improving the cycling experience across road junctions;
- Explore the funding options available (such as grants, Section 106 agreements and the Community Infrastructure Levy) to support improved cycling infrastructure, more cycle parking and greater use of initiatives like personal travel planning, employee purchase schemes and rider and maintenance training;
- Facilitate greater engagement with residents and cycling groups in the city to ensure maximum support for a cycling strategy and to encourage the creation of political ‘Cycling Champions’ across all parties.

The Motion was passed and I am aware that each political group has now has a Cycling Champion (or two in the case of the Green group). Can I ask whether a report such as the one described above was ever brought to the Environment, Transport & Sustainability Committee and whether we now have the ambitious strategy that was called for? And further to that, what cycling infrastructure and other measures have been developed as a result?

Reply from Councillor Mitchell – Chair of the Environment, Transport & Sustainability Committee

**(12) Councillor Gibson**

Please provide a table for each year starting from 2011 up to 2018 with a row giving the numbers of rough sleepers assessed estimates and another row for the number found when counts were undertaken ( in March and November in these years). For years in which both a count and estimate were undertaken (2011,2013 and 2014) please provide the % that the count number is of the

estimate for that year and show how much more in % terms estimates have been compared to counts on average for all years in which both a count and estimate have been undertaken?

Reply from Councillor Moonan – Lead Member for Rough Sleeping

**(13) Councillor Gibson**

How many properties have been sold under the Right to Buy between 1<sup>st</sup> April 2018 and 22<sup>nd</sup> January 2019?

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

**(14) Councillor Gibson**

Please provide a table for each year from 2011/12 up till 2017/18 showing the expenditure per property on HRA properties for each of the following areas:

- Responsive repairs,
- Cyclical maintenance and voids
- Major (capital) repairs
- Total expenditure on all repairs maintenance and major repairs
- Housing management

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

**(15) Councillor Gibson**

What was the average number of people rough sleepers housed per night in December 2018 and in January up to 22<sup>nd</sup> 2019 in

- Council night shelter (Brighton centre)
- Rough sleeper hub
- Churches night shelter
- Severe Weather Emergency Provision (SWEP) for the nights it was open

Reply from Councillor Moonan – Lead Member for Rough Sleeping

**(16) Councillor Gibson**

Following the unanimous motion passed on the 14<sup>th</sup> of December 2017 (and supported by Housing Committee in January 2018) calling for business case investigations into the spend to save benefits for the council that can flow from providing short term homeless accommodation in-house and given that:

- such a purchase offers the opportunity to the council to obtain a capital asset and receive the benefit income currently being paid (predominantly) to private landlords,
- also net spending on temporary accommodation continues to increase (draining current council budgets);

Can we be assured that the long anticipated business case will be provided back to committee before April 2019?

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

**(17) Councillor Gibson**

The answer to the breakdown of temporary accommodation (Dec 2018 Full council) states that there are 441 households housed in temporary accommodation with seaside homes on 31<sup>st</sup> March 2018, since the council nominates to all Seaside's leased 499 homes, what was the use of the put to the other 58 properties by the council?

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

**(18) Councillor Gibson**

(As requested previously) For the table provided at Decembers 2018 council meeting providing numbers of special conditions applied to the licence applications for the Lewes road additional HMO licensing scheme where 90% of the conditions were satisfied overall, please can the number (and %) be provided showing how many of each of the special conditions were met enabling the total of 90% to be calculated?

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

**(19) Councillor Gibson**

Over the city there are 44 recognised tenants , residents and community association covering 57% HRA housing areas (Housing committee 16<sup>th</sup> Jan 2019) Please can these numbers of representative associations and the % of HRA properties within the area of benefit be broken down for each of the housing panel areas? (East, West, Central and North).

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

**ORAL QUESTIONS FROM COUNCILLORS**

A period of not more than 30 minutes is set aside for oral questions from Members, at the expiry of which, the Mayor will call a halt and proceed to the next item of business of the agenda. Any Member whose question then remains outstanding will be contacted to determine whether they wish to have a written answer provided or for their question to be carried over to the next meeting.

The following Members have indicated that they wish to put questions to the Leader, Chairs of Committees or Members of the Council that have been appointed to an outside body. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion:

**(1) Councillor Janio**

*Subject matter: The Future of Local Democracy*

Reply from Councillor Yates, Leader of the Council

**(2) Councillor Mac Cafferty**

*Subject matter: Cityclean Planning*

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

**(3) Councillor Gibson**

*Subject matter: Expanding Council Housing*

Reply from Councillor Meadows, Chair of the Housing & New Homes Committee

**(4) Councillor Hyde**

*Subject matter: Taxi Trade*

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

**(5) Councillor Page**

*Subject matter: Recycling: Incineration & Doorstep Advice*

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

**(6) Councillor Nemeth**

*Subject matter: King Alfred*

Reply from Councillor Yates, Leader of the Council

- (7) Councillor Deane**  
*Subject matter: Artists' Residencies*

Reply from Councillor Robins, Chair of the Tourism, Development & Culture Committee

- (8) Councillor Bell**  
*Subject matter: Pavilion*

Reply from Councillor Robins, Chair of the Tourism, Development & Culture Committee

- (9) Councillor Sykes**  
*Subject matter: Sculpture in the City*

Reply from Councillor Robins, Chair of the Tourism, Development & Culture Committee

**NOTICE OF MOTION****GREEN GROUP****EU CITIZENS AND LOCAL ELECTIONS**

This Council notes the excellent work done by the Electoral Services Department to inform all the city's households of the right of residents to vote.

This Council requests that the Electoral Registration Officer, in addition to the current practice of general household notification, works with the Council's Communication Team to run a campaign informing potentially underrepresented communities, including non-UK EU citizens, of their right to both vote and stand in the local election to be held on 2nd May this year.

Proposed by: Councillor Littman

Seconded by: Councillor Phillips

**Supporting Information:**

Currently all households receive a general household notification, regarding who is registered and who is eligible. Additionally, anyone who has provided an email address as an elector receives a digital poll-card and information about eligibility, and a text message if they have provided a mobile phone number, including a statement for May's local elections stating which nationalities are entitled to vote.

Nonetheless, there is a danger that some of the thousands of Brighton & Hove residents who are non-UK EU citizens, along with members of other traditionally underrepresented groups of residents, may not fully appreciate their democratic rights.

As non-UK EU citizens, such residents (unless they are citizens of the Republic of Ireland, Cyprus, or Malta) are not entitled to vote in British General Elections and, as a result, may not be aware that they are entitled to vote in British Local Elections. Additionally, they may well not realise they are entitled to stand in such elections.

Given the uncertainty over their futures, due to the threat posed by a possible UK exit from the EU, it is vital to avoid any confusion over their democratic rights. Other groups of residents may also benefit from a targeted campaign outlining their democratic rights.

It is therefore incumbent upon BHCC to specifically inform these residents of their democratic right to influence the make-up of the Council in the city they call their home.



**NOTICE OF MOTION****LABOUR AND COOPERATIVE GROUP****ENDING VICTIM BLAMING TOGETHER**

This council resolves to:

1. Show its support to the VictimFocus Charter Pledge by signing up to it, and
2. Request officers to bring a report to the Neighbourhoods, Inclusion, Communities & Equalities Committee to detail how that pledge can then be fulfilled to challenge and reduce victim blaming of people who have experienced trauma, abuse or crime in our organisation.

Proposed by: Cllr Daniel

Seconded by: Cllr Cattell

**Supporting information**

By signing up to the Charter, we would be pledging that our staff and management team will commit themselves to:

1. Never engaging in victim blaming of people who have been affected by trauma, abuse or crime
2. Never using or advocating for interventions that blame or place responsibility of trauma, abuse or crime on the victim
3. Calling out victim blaming where we see it in the media or in policy
4. Ensuring that we create a culture in which victim blaming is not accepted on case records of the people we help and to amend or add comments to any case records that include victim blaming descriptions of our clients
5. Encouraging our partner agencies to reflect on interventions or approaches that place responsibility on victims of trauma, abuse or crime
6. Ensuring that our materials, service design and individual service delivery supports our clients with their feelings of self-blame and their experiences of victim blaming from our own staff and others
7. Learning more about victim blaming and self-blame to use this in policy, procedure and service development and evaluation
8. Standing up for and advocating on behalf of victims of trauma, abuse and crime who are being blamed or stigmatised by agencies, professionals or authorities
9. Providing ample training on victim blaming and self-blame to our staff members and management
10. Reflecting critically on our own practice and values to ensure that we have challenged any biases, values or views our organisation holds or acts upon that blame victims of trauma, abuse and crime.

<https://www.victimfocus.org.uk/victimfocus-membership>



**NOTICE OF MOTION****LABOUR AND COOPERATIVE GROUP****GOVERNMENT RESOURCES AND WASTE STRATEGY**

This council resolves to ask the Chief Executive to write to the Secretary of State for the Environment, Food and Rural Affairs, requesting that:

- The target in the strategy for meeting 100% of plastic packaging to be reusable, compostable or recyclable from 2025 is brought forward, as the well-known issues around non-recyclable plastic need urgent action, alongside concerted action to reduce reliance on plastics.
- Weekly food waste collections for households in all local authority areas is also brought forward from the current timescale of 2023, and with sustainable sources of funding identified, as this would raise recycling rates by 5% nationally.

Proposed by: Cllr Mitchell

Seconded by: Cllr Horan

**Supporting information**

We deplore the extent to which low-grade plastic remains in use in the UK. The public do not want products packaged in low-grade plastic that cannot be re-used, recycled or composted. The LGA has also identified this as a key concern. We regret that, where low-grade plastic is being put out for recycling collection by the public in other local authority areas, there is increasing evidence that the majority is in fact either landfilled, burned or sent abroad. See for example a recent report "Everyday Plastic: What we throw away and where it goes" <https://www.everydayplastic.org/>. It is not acceptable for the UK to export its plastic waste, with the risk of it ending up in landfill or polluting rivers and lakes in other countries, as well as the world's oceans.

We note that ETS committee has given agreement for the introduction of a food waste collection service to be built into the City Environment Modernisation programme, subject to sustainable sources of funding being identified. We also note that the Resources and Waste Strategy identifies separate food waste collections for households across all local authority areas as an objective, but with a delay in implementation that may be explained by unwillingness to commit current resources despite the pressing need to reduce waste and increase recycling.

In summary we note the government's Resources and Waste Strategy begins to address the relative neglect that has taken place nationally in the policy area of waste and recycling over recent years, but we feel it does not show enough urgency, particularly in respect of household food waste collections and non-recyclable plastic packaging.



**NOTICE OF MOTION****CONSERVATIVE GROUP****HOSPITAL FOR HOVE AND PORTSLADE**

This council requests that the Chief Executive prepares a report to be presented at the next meeting of Health & Wellbeing Board, which explores the feasibility of providing a GP Hub, Minor Injuries Unit, Cancer Diagnostics Centre and Mental Health facilities on the Toads Hole Valley site.

Proposed by: Councillor Janio

Seconded by: Councillor Taylor

**Supporting Information:**

On 7<sup>th</sup> January the NHS Long Term Plan was published, setting out how investment of £20.5 billion a year in real terms by 2023-24 will transform patient care and make sure every penny of taxpayers' money is spent wisely. There will be a new focus on prevention – with £4.5 billion being invested in primary and community care – personal responsibility and promoting good health, and more rapid diagnostics and new treatments that will improve the care patients receive.

The publication of the plan follows the announcement last year that the NHS would receive £20.5 billion a year extra by 2023-24. At the heart of the plan is a focus on prevention – keeping people out of hospital by improving their health and investing £4.5 billion in primary and community care, supporting GPs, health visitors and community nurses. A Hospital for Hove and Portslade would meet all of these requirements by providing rapid diagnostic capabilities, improve the treatment of serious conditions like cancer and stroke, increase the NHS workforce and bring the NHS locally into the digital age.

The Council notes that developers have now submitted their plans for Toads Hole Valley, which includes the creation of new family homes, modern office space and community facilities. There are also plans for a new secondary school, as the council requested, but it is clear that this will no longer be required.

The Council does not want to lose the last opportunity for a modern medical facility in the Hove and Portslade area, and would like to see a hospital provided that would contain a much needed GP Hub, Minor Injuries Unit, Cancer Diagnostics Centre and Mental Health facilities.

The local Sustainability and Transformation Partnership could provide the necessary funds for this to happen. The requested report should confirm this and should lead to a formal request for capital funding from the STP to provide the medical facility, should the project prove viable.



**NOTICE OF MOTION****VALLEY GARDENS PHASE 3****CONSERVATIVE GROUP**

This Council:

1. Notes that the Environment, Transport & Sustainability Committee will consider the Valley Gardens Phase 3 project at its Special meeting on 7<sup>th</sup> February 2019; and
2. Requests that the Committee;
  - (i) Urgently revisits the Valley Gardens Phase 3 proposal with a view to providing a revised scheme that retains the aquarium roundabout, maintains entry and exit from Madeira Drive onto the roundabout and separates general traffic on the East side of The Old Steine and public transport on the West side.
  - (ii) Explores the use of surplus Capital funds made available by 2(i) above to create improved cycling and pedestrian connectivity between the wider Valley Gardens area and the seafront without the need to channel all modes of movement through the aquarium roundabout junction.
  - (iii) Pauses work on preferred option 1 and bring the proposals in 2(i) and 2(ii) to a special meeting of Environment, Transport & Sustainability Committee at the earliest opportunity but in any event, no later than the end of March 2019.

Proposed by: Cllr Wares

Seconded by: Cllr Miller

Supporting Information:

As opposed to Valley Gardens phase 3 being a project to regenerate The Old Steine it has now become a social engineering project designed deliberately to deter residents from using motor vehicles and force them onto public transport. The present scheme proposes significant delays to vehicle journeys along the A259 (Business Case estimates £17m cost to the economy) and takes little regard of the negative economic impact on tourism and businesses as articulated by many in the tourist industry and other stakeholders as well as the flight of revenue from the City by residents choosing to drive to neighbouring towns.

A "T" junction forces taxis and visitor coaches to make long round trips via Dukes Mound to the detriment of operating costs and increases passenger costs and time. Additionally, bus movements become more cumbersome and make bus passenger journeys more difficult.

No future proofing or accommodation of major developments for example such as the Water Front, mass people movement/ transportation, Madeira Terrace have been taken into account. No consideration given to the A259 having been included on the Major Road Network.

The proposed project has a short fall in funding with circa £600k now required from the private sector for which no certainty exists. There are no plans or funding for dealing with "knock-on" impacts such as egress from Dukes Mound.

Significant opposition has been expressed by a wide range of interested parties of which no account has been taken to deal with the concerns since the present scheme was conceived prior to the first public consultation.



**NOTICE OF MOTION**  
**GREEN GROUP**  
**MENTAL HEALTH IN SCHOOLS**

This Council resolves to:

1. Ask the Chief Executive to write to the Secretary of State for Education, to request that the Government:
  - brings forward ten-year plans to expand school and college based mental health services for children and young people, so that 100% of children and young people requiring specialist care are empowered to access it prior to 2030;
  - puts in place adequate funding support for schools and teachers to implement this mental health work in schools.
2. Continue to support the improvement of mental health for our city's children and young people, and to request officers to bring a report to the Children, Young People & Skills Committee detailing how the council can work with our family of schools to:
  - support and promote the development of greater preventative activities designed to assist with anxiety and depression, such as lunchtime yoga, meditation, healthy eating and greater physical activity;
  - develop and share best practice on restricting access to mobile phones in the classroom, in conjunction with the existing work done in our schools to support young people managing social media and cyber bullying;
  - ensure teachers and staff can access adequate training and support, in conjunction with existing work done in P.S.H.E and through the Schools Wellbeing Service, to feel able to respond appropriately to students who are directly affected by poor mental health and low self-esteem.

Proposed by: Cllr Knight

Seconded by: Cllr Sykes

[1] The Parliamentary Education and Health Committee has warned the 10-year timetable for Government mental health plan 'ignores the needs of hundreds of thousands of children who will go without support while it is rolled out.'

[2] Anxiety is listed as one of the most prevalent reasons for a referral to CAHMS partners

[3] The use of mobile phones is restricted in school hours by e.g. Blatchington Mill.  
<https://esrc.ukri.org/news-events-and-publications/news/news-items/school-ban-on-mobile-phones-helping-pupils/>





Home Office

Rt Hon Caroline Nokes MP  
Minister of State for Immigration

2 Marsham Street,  
London SW1P 4DF  
[www.gov.uk/home-office](http://www.gov.uk/home-office)

Geoff Raw  
Chief Executive  
Brighton & Hove City Council  
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BN3 3BQ

HOCS Reference: MIN/0013850/18  
Your Reference: MW/GR

11 OCT 2018

*Dear Mr Raw*

Thank you for your letter of 1 May to the Home Secretary about immigration detention. I am replying as the Minister of State for Immigration. I am very sorry for the delay in my response.

The Government is committed to delivering a system which encourages and supports migrants to comply with our immigration rules. This includes encouraging and supporting people who do not have the right to be in the UK to leave voluntarily. The Home Office's Voluntary Returns Service provides support to individuals and families with no lawful basis to remain in the UK to return to their home country. This service can include financial assistance of up to £2,000 to help with accommodation, a job or starting a business in an individual's home country.

We believe that detention does have a role to play in the immigration system, but the Government's starting point is that it is only for those whom we are confident that other approaches to removal will not work.

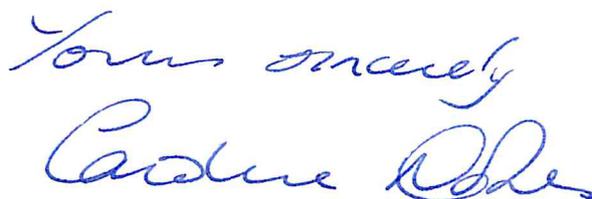
The Home Secretary made a statement to Parliament on 24 July about immigration detention and the publication of the follow-up review of welfare in detention of vulnerable persons, undertaken by Stephen Shaw. In that statement, the Home Secretary announced that he has asked officials to do more to explore alternatives to detention with faith groups, NGOs and within communities. The Home Secretary also announced an intention to pilot a scheme to manage a number of vulnerable women, who would otherwise be detained at Yarl's Wood, in the community.

The law does not allow anyone to be detained indefinitely. Any decision to detain, or maintain detention of an individual, requires there to be a realistic prospect of the person's removal from the UK within a reasonable period of time. Nevertheless, the Government is aware of the arguments that are made in respect of a time limit on immigration detention. However, as Stephen Shaw stated in his recent review, the debate on time limits currently rests more on slogans than on evidence. That is why, in order to support a properly informed debate on this issue, the Home Secretary announced that he has asked officials to review how time limits work in other countries and how they relate to other protections within their detention systems.

Current published policy in the UK already requires that detention is only used sparingly and for the shortest period necessary. Regular reviews of an individual's detention are undertaken to ensure that it remains lawful.

Individuals are able to challenge the lawfulness of their detention through the courts using the processes of judicial review and habeas corpus. Individuals can also apply to Immigration Judges at any time for release on immigration bail. Furthermore, under Schedule 10 to the Immigration Act 2016, eligible individuals are referred automatically to the First-tier Tribunal for consideration of bail after four months in detention and thereafter at four monthly intervals. This ensures judicial oversight for those who do not apply for bail themselves for whatever reason. The Home Secretary has also announced plans to pilot an additional automatic referral to the Tribunal for consideration of bail at the two-month point.

Stephen Shaw's most recent review recognised that progress has been made in reforming immigration detention since his earlier review, whilst identifying areas where we could and should do better. That is why we have announced an ambitious programme of work in response to Mr Shaw's report to improve the welfare of vulnerable detainees and dignity within IRCs, increase transparency and develop more alternatives to detention.

A handwritten signature in blue ink, appearing to read 'Caroline Nokes', written in a cursive style.

**Rt Hon Caroline Nokes MP**  
**Minister of State for Immigration**



Ministry of Housing,  
Communities &  
Local Government

Geoff Raw  
Chief Executive  
Brighton & Hove City Council  
Hove Town Hall  
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**Rishi Sunak MP**  
*Minister for Local Government*

**Ministry of Housing, Communities and Local  
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Our Ref: 3981447  
Your ref: MW/GR

14 December 2018

Dear Geoff,

Thank you for your letter of 19 November to the Rt Hon James Brokenshire MP, expressing Brighton & Hove City Council's views on a People's Vote regarding Brexit.

I am sure you will appreciate that the Secretary of State receives a significant volume of correspondence each day and it is not possible for him to respond personally to each one. For this reason, most letters to him are delegated for reply. I can assure you that this has not detracted from the careful consideration your letter has received. I am replying given my ministerial responsibility for local government.

The Prime Minister has been clear that she does not want a second referendum. The British people voted to leave the EU and the Government is delivering on that. The upcoming choice that Parliament will have to make is to accept the negotiated deal or reject it.

The government has been working to deliver the best deal for the UK. The proposals in the Government's White Paper to protect jobs both here and in the EU, and avoid a hard border between the Republic of Ireland and Northern Ireland, while respecting the referendum result and the integrity of the United Kingdom. Once agreed, we will put the final deal to Parliament, and MPs will have to decide whether to back or reject it.

It is the view of the government that this deal works for the entirety of the UK, as we take back control of our laws, borders and money. It ensures people and business that rely on an open border between Northern Ireland and Ireland can continue living their lives and operating as they do now.

We want a positive future relationship with the EU encompassing both economic security and cooperation. We are confident that this is in the interests of both sides, and the government continues to approach these negotiations anticipating success.

Thank you for writing in on this important matter.

**RISHI SUNAK MP**





Ministry of Housing,  
Communities &  
Local Government

Geoff Raw  
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**Kit Malthouse MP**  
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Our Ref: 3986126  
Your ref: MW/GR

19 December 2018

Dear Mr Raw,

Thank you for your letter of 12 November to the Rt Hon James Brokenshire MP on behalf of Brighton and Hove City Council regarding concerns about the proposed planning reforms for shale gas development. I am replying as the Minister of State for Housing.

The consultations on permitted development for shale gas exploration development, and the BEIS consultation on the inclusion of shale production projects into the Nationally Significant Infrastructure Projects regime, are now closed. The Government is in the process of considering the responses to the consultations and will publish its responses in due course.

The Government remains fully committed to making planning decisions faster and fairer for all those affected by new development, and to ensure that local communities are fully involved in planning decisions that affect them. That is why the consultation on the principle of a permitted development right for shale gas exploration development sought views on the conditions any permitted development right would be subject to. Conditions can include local consideration of particular planning impacts, and public engagement.

Further to this, we have published a separate consultation on whether developers should be required to conduct pre-application community consultation prior to submitting a planning application for shale gas development, and the process of community consultation that could be required. The consultation opened on 31 October 2018 and runs for a period of 10 weeks, ending on 7 January 2019.

I hope this is helpful, I would further encourage the council to participate in the consultation, which is available at: <https://www.gov.uk/government/consultations/compulsory-community-pre-application-consultation-for-shale-gas-development>.

**KIT MALTHOUSE MP**

