

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 14 DECEMBER 2023

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors O'Quinn (Chair), Atkinson, Davis, Evans, Fishleigh, Fowler, Grimshaw, Meadows, McNair, Robins, Sankey, Shanks, C Theobald, West, Wilkinson, Alexander, Allen, Asaduzzaman, Baghoth, Burden, Cattell, Daniel, Earthey, Goddard, Goldsmith, Helliwell, Hewitt, Hill, Hogan, Loughran, Lyons, McGregor, McLeay, Miller, Muten, Nann, Oliveira, Pickett, Pumm, Robinson, Rowkins, Sheard, Simon, Stevens, Taylor, Thomson and Winder

PART ONE

54 DECLARATIONS OF INTEREST

- 54.1 Councillor Hill declared a personal but not prejudicial interest as a member of Unison the union.
- 54.2 No other declarations of interests in matters appearing on the agenda were made.

55 MINUTES

- 55.1 The minutes of the special meeting held on the 19 October 2023 were approved and signed by the Mayor as a correct record of the proceedings.

56 MAYOR'S COMMUNICATIONS.

- 56.1 The Mayor gave the following communications:

“Good evening councillors and members of the public, It doesn't seem that long ago since the last Full Council, but much has happened between then and now. It's been a busy couple of months and the first major event during that time was the Mayor's Reception at Brighton Pavilion and I was delighted that it went so well. Over a 120 people attended and the feedback was excellent especially regarding the Silver Strings and our young singer Scarlett. That brings me onto one of my favourite areas which is young people. I have attended a number of events which support young people such as Teen Tech at the Amex – an amazing event to encourage young people to be creative about technology; the awards ceremony at the Amex for those either in Care or Care Leavers; the Apprenticeship Awards ceremony at the Metropole and the awards evening at the Hangleton and Knoll Project which celebrated many of its young people amongst others. All of these events plus Dance Active and physical fitness events showed how

much is being done to support and encourage the young people in our city especially as they experienced such a difficult time during Covid. That's not to mention all the amazing work that has been carried out on transforming many of the playgrounds in our city. We should all be proud of how much is done for young people in Brighton and Hove and the council's involvement in this.

Remembrance Commemorations were also a main feature of the month of November, and it was indeed an honour to represent the city at a number of these. The numbers of people who attend these events every year is increasing which is most encouraging, and we are all grateful for the support that the council gives to enable these events to take place. The commemoration services are deeply moving and remind us all of the sacrifices that our armed forces have made over many years and in many conflicts, both large and small. I'd like to express my thanks to all those who make Remembrance so very special – without them we wouldn't be able to put on so many events and services.

To follow up on Remembrance events we held a Veteran's Christmas Reception in the Mayor's Parlour which was exceptionally well attended and enabled a considerable amount of networking to take place. Amanda Grimshaw and I will be working with Veteran Groups to ensure that the momentum for change is not lost.

And now we turn to Christmas which is only a few days away. The Mayor is certainly not allowed to forget that it's the festive season as there are numerous invites to Carol Services across the city, turning on Xmas lights at the Bevy in Moulsecoomb and in Palmeira Square - and launching the Santa Bus – which was great fun. On a more serious note, I have attended some wonderful events by one of my Mayoral Charities, Together Co, which focuses on loneliness amongst young and old people. The number of volunteers 'befriend people' is quite extraordinary – 500 for Together Co alone. Loneliness has grown amongst the population since Covid, and we are also aware of it far more because of Covid and we all need to be aware of how damaging loneliness is to people's mental and physical health. We are fortunate to have both charities and the council working on this issues in the city.

I wish all of you a very enjoyable and restful Christmas break and an excellent New Year."

57 TO RECEIVE PETITIONS AND E-PETITIONS.

57.1 The Mayor noted that there were no petitions to be presented at the meeting.

58 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

58.1 The Mayor reported that 6 written questions had been received from members of the public and invited John Mills to come forward and address the council.

58.2 John Mills asked the following question: Why is no protection being offered, by The Council, for the school which has the highest percentage of pupils with a disability or the highest percentage of teachers with a disability? Shouldn't the school be ringfenced, especially when a staff member has experienced ableism in a Brighton and Hove school previously?

- 58.3 Councillor Helliwell replied: Thank you for your question, John - and thank you for your input to the consultation event. I know you've also exchanged emails with Cllr Taylor and myself on this subject. It's really important that we hear your voice and your perspective. I'm really sorry to hear that you've faced ableism in your previous job in the city - that's just not acceptable. It's clear that you are great teacher and are passionate about your pupils. We completely recognise the worry and potential impact of these proposals. As has been discussed earlier in the meetings that we've had across the city, our primary school system in the city is under considerable stress, and because of a continued fall in pupil numbers. Our consideration of whether to propose the closure of a particular school was based on a number of factors, including the current and future viability of the school, and associated pupil numbers. If a decision is taken to close any school, it will be important for the council to properly support children with Special Educational Needs and Disabilities and ensure that they can transition to an appropriate new school. We want to keep skilled and talented staff within the city wherever possible and are asking other unaffected schools to consider this in their future employment activities. We will also give school staff at risk of redundancy access to the Council's redeployment pool where they may be able access other Council jobs.
- 58.4 John Mills asked the following supplementary question: What specific support will be offered to staff who have found a uniquely welcoming home at St. Barts, and will now have to move to a school which, based on previous experiences, may not be as welcoming.
- 58.5 Councillor Helliwell replied: All schools should be welcoming to all new staff, and if you find any problems in future schools then you need to follow the line of command so that you need to raise issues with your head of department, your head of school, and if you are still having problems then absolutely email us and we will see what we can do.
- 58.6 Mo Marsh asked the following question: Would Cllr Taylor agree with me that the citywide declining school population, and budget restrictions presents the administration with huge challenges determining admissions policies which need to be addressed carefully and sensitively involving all stakeholders, including of course the increasing numbers of pupils with additional needs identified since Covid and ever diminishing resources.
- 58.7 Councillor Taylor replied: Thank you Mo for your question, and welcome back to the chamber. As a predecessor of mine as Moulscroomb and Bevendean's Councillor, thank you for your question. I completely agree with you. The city faces a significant challenge in terms of falling pupil numbers. The numbers nationally are significant, but they're particularly stark in Brighton & Hove. From 2011 to 2021 the fall in children 0-4 years has been 22% and the consequent impact of that on funding for schools is very significant and we may explore that later in the meeting, and many of our schools are in extreme financial difficulty, so we have had to take action and make some proposals on this, but I completely agree with your question that none of it is easy and none of those options are particularly appetising or ones that we would have wanted to make. I agree with your proposition that it has to be considered carefully, the consultations have to be considered and the output has to be considered and particular care and consideration has to be given to pupils that may be impacted that have SEND and other needs, and that's what we'll be doing.

- 58.8 Mo Marsh asked the following supplementary question: These proposals will have a huge negative future impact on generations of the city's families including possible loss of local authority schools to become academies, which would be one way of removing themselves from this process of having their PAN's reduced, or their schools even closed. Emerging data, which is emerging as the consultation proceeds, shows that the east of the city seems to be particularly severely impacted, and unfairly. I'm not a statistician or a mathematician, wiser people than me show that we have a smaller fall in pupil numbers in the east of the city. The date of the Children's, Families, and Schools meeting has already had to be moved on because of the impending by-election in Portland, and so what I'm asking for shouldn't be unachievable. There are other solutions to this process which could be explored, IE partnerships, confederations, smaller class sizes – how would that be? That is a real education winner, we know that smaller class sizes are the best thing for pupils, better resourcing from a future Labour government could also be explored. There's other things to explore, those are just some of them. I know you asked in your consultation documents for solutions. Therefore, would you please consider an immediate extension of the current consultation date from next Friday, which is the day before Christmas and nobody's going to be doing anything for a few days, to allow officers and everyone to consider all the information that's coming forward from the consultation process, information, and data, with the idea that this is for the future good of the city. Can we just hold fire on the process and extend it?
- 58.9 Councillor Taylor replied: I'm afraid I disagreed more with the proposition in your first question than your second one, which is that you have said that these may have a disastrous impact and it might lead to academisation; that is the situation we are already in because the truth is, in this city, the problem has been kicked down the road for too long. This isn't me saying it, it's every single head teacher in the city. Proposals over the last three years were looked at to reduce PAN's and yet we are where we are where more than half the schools in our city are in financial deficit and the very main driver of that is the dramatic fall in numbers and that many schools don't have enough pupils in their school. We have to take some action, we didn't want to take any action, but we have to because we're a responsible council. I would also challenge slightly that the east of the city is being disproportionately impacted. Brighton Kemptown constituency is the only constituency that isn't subject to a school closure proposal, although I agree with you that two schools are proposed for PAN reductions in the ward that I know you're particularly closely related to. I don't think your suggestion of extending the consultation is a good idea. Many, many contributions have been made to the consultation, at the latest count over a thousand have been made, so people are very aware of the proposals, have been making contributions to the consultations which we've been listening to, responding to, engaging with and in January, as you have said, the committee has been moved back by three weeks. We will consider everything in the consultation, and we will make our decisions, thank you.
- 58.10 Christopher Hawtree asked the following question:
Would Councillor Sankey please outline the steps by which this Authority envisages the use and implementation of Artificial Intelligence for the processing and supply of its public services?
- 58.11 Councillor Sankey replied: Thank you for your question, which is very pertinent. The starting point for us as a local authority is to ensure that there is a policy framework in place which addresses the risks and ethical considerations, along with identifying the

areas of low risk in terms of data governance and security. A draft policy is currently scheduled for review by officers. Following the approval of this policy, existing Digital, Data and Technology governance will be used to identify opportunities for exploration. This step would involve reviewing examples from other local authorities and public sector organisations. These examples would inform the understanding of our own requirements, including the level of investment and preparatory activities required. Once there is sufficient levels of assurance concerning risk management and benefits realisation, the AI capabilities would be drawn-upon as part of the overall package of IT and Digital capabilities at the disposal of this council.

- 58.12 Christopher Hawtree asked the following supplementary question: As you indicated in your reply, this is of course a resonant subject in our time. It ranges from the provision of that subtling up there with a modicum of accuracy to the intricacies of open-heart surgery. As such, would, for example, the collection and processing of refuse likely be one of the things considered by the officers whom you mention, something that's likely to be automated in this way? Will you be, as part of this review of the situation, be advocating the introduction of a universal basic income so that those affected will be able to take better, even positive, advantage of this momentous turn to human destiny?
- 58.13 Councillor Sankey replied: I think we've pivoted a little bit to Universal Basic Income, but we are actually as a matter of fact considering a pilot of Universal Basic Income, along with a number of other Labour councils nationwide, and there will be more information about that over the coming months.
- 58.14 Laura King asked the following question: We are constantly told this Brighton and Hove City Council is short of money, yet the budget for 2023/24 is £895million. How is this not enough for the city's upkeep and goods and services delivery?
- 58.15 Councillor Taylor replied: It's an important question because it allows us to explain a bit more to the public about the budget. That very large figure that you cited, nearly £900 million, is the gross budget of the Council. Within that, very significant portions are ringfenced for specific things. For example, the dedicated schools grant schools funding that comes directly from government and goes directly to schools, in a nutshell, is about £240 million. There's many other ringfenced areas. A more relevant figure to look at is probably the net general fund, which is about £250 million, and that's the bit that we have control of and which we have to deliver many of our non-statutory and indeed statutory services. You may have noticed around the country, Laura, that many councils are in difficulty at the moment, it's not an invented problem, it's a real problem. Tory councils, Labour councils, Lib Dem councils, SNP councils, are in difficulty at the moment and the simple fact is that the funding that local authority receives largely from national government, but also through council tax and business rates, has not kept up with the cost of services, and so what we're facing next year in Brighton and Hove is what we call a 'budget gap' of £31 million, roughly speaking about £53 million is what it's going to cost more to provide the services we already provide, and we get about £21 million extra funding that leaves us with a gap that we've got to fill. Yes it's a big budget, and we deliver 400 services. It's a bit like asking how can a company that has a large turnover get into trouble, well because they have high expenses and high liabilities, so that's the position we're in. I guess the thrust of your question is are we wasting money as a council on not doing things efficiently. A huge focus of the current budget setting

process will be to try and deliver things better and more efficiently so that we can reduce costs that keep delivering services.

58.16 Laura King asked the following supplementary question:

Is it now time for the councils legally appointed 151 officer to serve a 114 notice on Brighton and Hove City Council regarding the substantial anticipated shortfall of £70 million in its revenue account and to make way for a local residents shadow council, more able to manage the council's finances, to take over and the existing leadership of the council should step down?

58.17 Councillor Taylor replied:

The short answer to that is no. We're not in that position yet as a council, but we are in a very serious position. Some other councils in the country have got to the position where they're issuing section 114 notices. It was a novel idea presented that we might then replace the elected council of this city with some other body, presumably not elected, but it does highlight why it's really important that we do manage to budget and that we do set a budget that's sustainable next year and that it's controlled and managed by the democratically elected representatives of the city so that we can reflect our residents priorities in that budget.

58.18 Rohan Lowe asked the following question: What ideas are being look at on improving the current Hove Station footbridge as part of the neighbourhood plan so that it is more as accessible as possible for people with disabilities?

58.19 Councillor Muten replied: The existing Hove Station Footbridge was designed and constructed in the 1880's without the accessibility arrangements we would expect today. An historic agreement means that BHCC has responsibility for maintaining the footbridge, as owned by Network Rail. For this reason, a quarter of million pounds has been made available this year and for next to continue maintaining this aging bridge. As ward councillor, I absolutely agree - an accessible crossing of the railway in Goldsmid ward is needed. The only accessible option nearby is the Fonthill Road tunnel which needs improving including better lighting. The is some distance from Hove Station, more so as an accessible route. The Council's initial focus will be agreeing a solution with Network Rail on its existing maintenance and longer-term viability of the Hove Station Footbridge. This needs to include improvements in overall accessibility for people with disabilities for the local community and rail passengers. We will be pursuing options and funding to improve access in the near future.

58.20 Rohan Lowe asked the following supplementary question: Given that the Hove Station Footbridge is close to a major visually impaired base and several supported living houses for people with disabilities, will the council be taking this into account?

58.21 Councillor Muten replied:

Absolutely, we do need to take into account the local communities and those people that most need to be able to cross this railway. It is really inadequate, the existing bridge does not provide accessibility options for many local residents and people who need to use the station, so yes, we do need to look at the needs of the local community and specific groups that you mention there as well. There is quite a lot to do to solve this, but as ward councillor and chair of Transport and Sustainability, I'm actually passionate to solve this and so I'll be working with network rail and other partners in that area to get

an accessible route across the station and make it much more easy for everybody to cross.

58.22 Nigel Furness asked the following question: Since the construction of the i360 was enabled in 2014, our city now has an estimated debt of £51 million and rising. What are this Administration's plans to mitigate and prevent further losses?

58.23 Councillor Sankey replied: We share your pain; Labour's position has always been that the i360 should not have been financed with public money - it was Green and Conservative councillors who lumbered the council with this significant debt and this reckless use of public funds which was an unforgivable lack of judgement and which they must never be allowed to forget. Despite this, we hope that this landmark in our city can turn itself around as nobody sets to gain from its failure, least of all residents. It's for that reason that myself and Councillor Taylor have met with the current managers of the i360 to talk about their plans. Whilst the total debt now stands at over £44m, any rise in the debt owed is due to the addition of rolled up interest for elements of the loan that have been deferred. It is not additional borrowing by the council. Our number one priority is ensuring the council gets back all or as much of its money as possible. We continue to explore all options. We have been encouraging the i360 to diversify their business model and they have taken some immediate measures such as letting space to Sixes Social Cricket. They are also preparing a longer-term business plan and we have stressed that this plan must be realistic and deliverable. Once we have considered this business plan we will review our next steps in the short to medium term and officers will report back to Committee.

58.24 Nigel Furness asked the following supplementary question: Thank you for your honesty and your accuracy, Councillor Sankey. Credit where it's due, but I do have to ask; if we can't pay, will they take it away, please?

58.25 Councillor Taylor replied: With your permission Madame Mayor. The position with the i360 is difficult in that if we were to essentially enforce against the loan and put the company into default, we would have to crystalize that loss straight away in our accounts, and that would cause a big problem in-year. The strategy that's being pursued is the right one for now, which is to try and make the business viable, support it. There are mixed views as to what the actual attraction looks like. It's actually a great piece of engineering at least, and when you get up it there are some great views, so I don't think there's any immediate plans to take it away from the seafront.

59 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

59.1 The Mayor reported that three deputations had been received from members of the public and invited Ed Armston-Sheret as the spokesperson for the first deputation to come forward and address the council. The deputation related to Brightstart Nursery.

59.2 Councillor Taylor replied, "thank you Ed, for your deputation, and your engagement with the process. I know you are like me, busy being parents, as well as juggling jobs and normal life – so thank you for taking the time to bring this to Full Council tonight. It was good to see some of you on Tuesday night at the parent consultation meeting, and also to speak to you in November as you just referenced, where lots of valid concerns and questions were raised. This administration shares your view that Early Years provision

is vital, and we are doing everything we can to maintain council provision against a backdrop of brutal government cuts to council funding. The council faces a £31 million budget gap for next year, and many other councils are in a similarly difficult position – which is one of the reasons why most others have been forced to stop providing nurseries (which are non-statutory for councils). We're proud that Brighton & Hove City council still maintains a number of high-quality early years settings – and we want it to stay that way. I realise that this change will be of concern to parents. However, moving the provision to the Tarner Family Hub is not a closure: it is a way of guaranteeing the future of council-run nursery provision in the area. The proposed model is for a 16 place nursery for children aged 2 to 5. We are confident that we can accommodate all children currently attending Bright Start Nursery within the proposed model and the space available in the Tarner Family Hub from September 2024. We are currently consulting with parents on the proposed model of Bright Start at the Tarner Family Hub. We are offering individual meetings to all parents of children currently attending, to discuss their individual needs. We invited all parents to a consultation meeting on 12 December to explain the proposed model, and many attended. Based on the information gathered from families and staff, the specifics of the proposed operating model will be considered. As we discussed in the meeting on Tuesday – this is a meaningful consultation because the input provided can shape the final offer at Tarner. Thanks again for your deputation.”

- 59.3 The Mayor thanked Ed for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to Children, Families & Schools Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 59.4 The Mayor advised that in view of the similar subject matter of Deputation 2 concerning St Peter's Primary & Nursery School, the deputation and the Petition for Debate on the related subject at Item 62 would be considered together.
- 59.5 The Mayor thanked Emily for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to Children, Families & Schools Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 59.6 The Mayor advised that in view of the similar subject matter of Deputation 3 concerning St Bartholomew's C of E Primary School the deputation and the Petition for Debate on the related subject at Item 61 would be considered together.
- 59.7 The Mayor thanked Azhhar for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to Children, Families & Schools Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

60 NEGLECT OF PUBLIC FACILITIES AT WISH PARK IS IMPACTING THE COMMUNITY'S HEALTH

- 60.1 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 three such petitions and invited Mr O'Dell to join the meeting and to present the petition concerning Neglect of Public Facilities at Wish Park is Impacting the Community's Health.
- 60.2 Mr O'Dell thanked the Mayor and presented the petition which had been signed by 1770 people.
- 60.3 Councillor Rowkins thanked Mr O'Dell for presenting the petition and stated that "First, I'd like to apologise for the deterioration we have seen at Wish Park and the impact it has had on the community. We have been monitoring the situation for some time and working to resolve it. Firstly, the current state of one of the football pitches is primarily due to damage caused by an event earlier in the year rather than a lack of maintenance. Clearly that is not ideal, and we are taking steps to avoid any similar incidents in the future. Unfortunately, when the circus was on the site, it was particularly wet and that left the pitch in a poor state. This has now been soiled and seeded, but unfortunately it was not done to the standard we would hope. We are very sorry for the disruption caused to football clubs wanting to use the site, and certainly it is my view that crucial, regular community activities such as sports should be a priority and not disrupted. We have put in place a new framework for events, to ensure that groundworks can be enabled more quickly where possible, and there are no events are planned for the Park in Summer 2024. We are also working on a series of updated, park-specific event packs that will provide better guidance for events to ensure minimal negative impact. We will be communicating with the football clubs to keep them informed. A final plan for the use of the available 3 pitches is now being finalised between the FA and the parks team. We hope to share this proposal with the teams before Christmas and will then share this more widely with the community. We are currently developing an action plan to ensure that the cricket pitch will be usable from April. The Council agree with the Association of Sussex Cricket Grounds that spring reseeding is now the best possible approach to ensure the best possible results in a timely manner, and agree that any deeper work would require heavy machinery that would cause significant further damage. Weather allowing this should see the surface more than useable from April. We hear the concerns from Friends about needing a new solution for protecting the cricket green. We are currently exploring other viable options on this, but currently the mesh and pins solution is the best to ensure the cricket square is preserved without creating a significant safety hazard to park users. Things are moving forward regarding the replacement of the outdoor gym, which was removed in 2021 because it was rotten and unsafe. The Friends of Wish Park are preparing a bid to secure the funds and the location of the gym has been agreed between City Parks and the Friends of Wish Park. Nearly all the city's shrub beds have been in decline over the last 20 years, from an aesthetic point of view. This is due to the combined effect of a reduction in staff and replanting budgets due to local authority cuts. I'd like to thank the Friends Group for the work they are doing to weed beds in Wish. The management of parks and green spaces across the city is currently under review, and we aim to test new working practices to maximise the use and spread of our teams in the new year. We will communicate this with Friends of the parks, clubs and local residents once this is approved. However, I am pleased to say that plans for Wish Park are now moving with more pace, and a

dedicated officer is liaising with stakeholders to address the issues raised by the petition. This included a meeting with the ward councillors last week, which has produced an action plan to address concerns raised. I'd like to thank the petitioners for bringing these issues to our attention and to the Friends of Wish Park for their commitment to providing a park where residents can enjoy recreational activities in the heart of their community."

60.4 Councillor Pickett moved an amendment on behalf of the Green Group which was formally seconded by Councillor West.

60.5 Councillor Hogan spoke on the petition.

60.6 Councillor Rowkins confirmed that he would not accept the Green amendment.

60.7 The Mayor then put the Green Group amendment to the vote which was lost.

60.8 The Mayor thanked Mr O'Dell for presenting the petition and put the recommendations to the vote.

RESOLVED:

60.9 That the petition was noted and referred to the City Environment, South Downs & The Sea Committee for consideration.

61 SAVE ST BARTHOLOMEW'S C OF E PRIMARY SCHOOL FROM CLOSURE

61.1 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. Due to the similar subject matter of a Deputation these were taken together.

She invited Azhhar Naeem and Katie Blood to join the meeting and to present the deputation and petition concerning St Bartholomew's C of E Primary School.

61.2 Katie Blood thanked the Mayor and stated that the petition had been signed by over 3000 people.

61.3 Thank you, Madam Mayor, and thank you, Azhhar and Katie, for presenting your petition and deputation today, which I acknowledge has been signed by a large number of people. We welcome it, and we ask the Council to note it, and we will refer to the Children, Families and Schools Committee in January where this matter will be discussed further and we also thank you for the deputation, which will also be referred to the same committee. I want to start by acknowledging how sad this situation is for the city and how painful this proposal is for parents, children and staff. It breaks my heart to be doing it and it breaks my heart to hear, Azhhar the comments you have made and the experiences that you are relaying. Katie, as you have said, you have invited members to visit school. I have visited the school, I have met with you. I have actually visited the school many times before you worked at the school. I know, given my personal connection to the school, what has been highlighted in the petition and the deputation is vitally important and must be heard. The same goes for the feedback we have received in the consultation, both in meetings and in writing, the voices of staff,

parents and the broader community are being listened to, and they will inform how we proceed. The affection with which the community holds the school is evident and has come across strongly in the consultation process. I want to directly address the point you've raised about Black and Global Majority pupils, as you have highlighted. St Bartholomew's has a higher than average number of such pupils. It is also worth pointing out the same is true of many schools in the centre of the city, and let me try and give some context for parents and for full council. Of the 12 schools closest to St Bartholomew's, 9 have a larger number of BAME pupils, and that is using the Department of Education terminology. The nearest school, St Paul's C of E Primary School also a one form entry school has 18 more, BAME children. St Mary Magdalen's Catholic Primary school less than one mile away from St Bartholomew's has more than double the number of BAME pupils despite this also being a one form entry school. If any of the nearby schools are proposed for closure there would be an impact on Black and Global Majority pupils and we accept that, acknowledge that and have to include that in our decision making. In many cases, there would be a greater impact in terms of the number of pupils at those schools. I want to assure you that these factors have been considered in our decision-making process so far when we put these proposals forward, but as a Council, we do have lessons to learn in how we demonstrate our process and whether in future we need to be more explicit and transparent in our considerations. It is also worth noting that parents and staff have highlighted the intersectionality of factors affecting some families at the school, some have faced trauma, have additional educational needs and have English as an additional language and whilst that is not unique to just St Bartholomew's families, we absolutely recognise that fact and agree that we must consider it when making our final decisions. I also want to address the broader question of why these proposals have been made. I do not think anyone in this Chamber became a councillor because they wanted to propose a closure of a school. I certainly didn't and many mornings I wake up and wish I was not in this position. But being a compassionate and responsible council, mean sometimes making difficult decisions. I have to be honest with the city and with councillors and with parents and with staff. Our primary school system is under severe pressure because of the issue of falling pupil numbers. The city currently has 2610 reception places in primary schools in the coming years, we expect only around 1900 pupils will require a place. Our reception classes will be a quarter empty. This has a very severe impact on the ability of many schools to set viable budgets for schools are funded on a per pupil basis. If they do not have the pupils close to their capacity, they lose funding and we are not predicting an issue with school budgets in the future. We have one now. At the Strategy, Finance and City Regeneration Committee last week, the Chief Financial Officer talked us through the current situation, 54% of schools in this city are in licence deficit and the school's grant is about to go out of balance. We asked Nigel whether this was common, whether it was typical in recent years. It's very, very far from being common 10 to 15 years ago, one or two schools might be asking for licence deficits, with plans to come out of them. We now have more than half our schools in financial deficit, but this isn't really about the money. I want to explain why schools are funded by government, after all, not by councils. It's not about penny pinching or saving money. It is about what the lost funding could buy. Extra support to pupils that need it and resources, and by the way, this isn't councillors saying it? It is the people who most understand our school system, Headteachers. I want to finish very quickly, Madam Mayor, by quoting from a letter that I received from 36 primary headteachers in the city back in June.

- 61.4 Councillor McLeay moved an amendment on behalf of the Green Group which was formally seconded by Councillor Shanks.
- 61.5 Councillor Hogan spoke on the matter.
- 61.6 Councillor Taylor confirmed that he would not accept the Green Group amendment.
- 61.7 The Mayor then put the Green Group amendment to the vote which was lost.
- 61.8 The Mayor thanked Katie Blood for presenting the petition and put the recommendations to the vote.

RESOLVED:

- 61.9 That the petition is noted and referred to the Children, Families & Schools Committee for consideration.

62 HELP SAVE ST. PETER'S COMMUNITY SCHOOL

- 62.1 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. Due to the similar subject matter of a Deputation these were taken together.

She invited Emily Brewer and Kirsty Moore to join the meeting and to present the deputation and petition concerning St Peter's Community School.

- 62.2 Kirsty Moore thanked the Mayor and presented the petition.
- 62.3 Councillor Taylor thanked Kirsty and Emily for presenting the deputation and petition and stated that "more generally, thank you for engaging so passionately and knowledgeably with this difficult proposal. It was good to meet both of you today, where we went through a lot of the more detail of everything that lies behind what you have said. It was also good to see and hear you at the public consultation meeting, where a number of these points were raised. If I am honest, I wish we were meeting in different circumstances because on so many issues, we would agree and be able to work together really well. The issues that have been raised in the deputation and the petition are vital for the Council to hear, understand and reflect on, and we will refer them to the January Children, Families and Schools Committee, where they will be considered alongside the overall proposal. I just want to reiterate what a difficult position we are in and that we genuinely do understand how upsetting this is for parents, children, and staff. We do not want to be making these proposals, we will ensure that the papers and decision-making take into account the important points that you have raised. I do just want to briefly respond on a few, in terms of not taking into account net migration and forecasting. The forecasting over the previous number of years has been 96 to 98% accurate in terms of pupil numbers for the following years. So, a high degree of accuracy generally and more broadly than that, the sad truth is that we already have a significant problem in terms of school places today. So even if the predicted decline isn't as sharp as assumed, we still have a significant issue that we have to try and tackle, and the Council is in contact with West Sussex and will monitor and discuss the places available in the area around St Peter's as we move towards making a decision and if we

do make a decision afterwards, we have acknowledged the concern about the potential loss of nursery class within the school and we will need to consider that implication very, very carefully in the next steps we take and the decision making and just briefly on the mental health of people, which I completely accept, this is a distressing proposal for everyone concerned. The Council has already allocated additional resources to support any transition if it is agreed, and that will include resources for educational psychologists to support the process. I will just finish by saying that once again, thank you for your deputation and petition and for making your voices heard. We are listening.”

62.4 Councillor Shanks moved an amendment on behalf of the Green Group which was formally seconded by Councillor Goldsmith.

62.5 Councillor Hogan spoke on the petition.

62.6 Councillor Taylor confirmed that he would not accept the Green Group amendment.

62.7 The Mayor then put the Green Group amendment to the vote which was lost.

62.8 The Mayor thanked Kirsty Moore for presenting the petition and put the recommendations to the vote.

RESOLVED:

62.9 That the petition is noted and referred to the Children, Families & Schools Committee for consideration.

63 CALL OVER FOR REPORTS OF COMMITTEES.

(a) Callover

The following items on the agenda were reserved for discussion:

Item 66 APPOINTMENT OF CHIEF EXECUTIVE AND HEAD OF PAID SERVICE
Item 67 REPORT BY AILEEN MCCOLGAN KC

(b) Receipt and/or Approval of Reports

The Head of Democratic Services confirmed that Items 66 and 67 had been reserved for discussion; and

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

68 HOVE STATION NEIGHBOURHOOD PLAN DECISION STATEMENT
69 ROTTINGDEAN PARISH NEIGHBOURHOOD PLAN – DECISION STATEMENT

(c) Oral Questions from Members

The Mayor noted that there were 16 oral questions.

64 WRITTEN QUESTIONS FROM COUNCILLORS

64.1 The Mayor noted 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 Fishleigh

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

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

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

2. Councillor Fishleigh

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

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

Thank you, Cllr Fishley, for your question.

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

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

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

3. Councillor Fishleigh

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

Reply from Councillor – Sankey, Leader of the Council

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

4. Councillor Earthey

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

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

Thank you, Cllr Earthey, for your question.

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

It is also important to note that the channel solution requires a parking space to be available directly outside a resident's property, which unfortunately is not something that we can guarantee, due to the high and increasing demand for both parking and charging. For this reason and close proximity of terrace properties and flats, connection with individual private dwellings may not be the best communal option. We are committed to delivering our next phase of designated parking bays for communal EV charging across our city.

5. Councillor Earthey

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

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

We will be going out to tender for Phase 2 of our EV charging programme early next year and fully expect a lot of interest and competition in the opportunity. The evaluation process will consider the cost of charging as a key element. Some operators have already started to offer off-peak charging rates to their customers, taking advantage of lower energy prices overnight or when the network has extra

capacity. Operators may also propose innovative solutions that we are not yet aware of. We shall await the outcome of the procurement before considering any alternative approaches.

6. Councillor Earthey

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

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

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

Thank you, Cllr Earthey, for your further question.

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

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

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

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

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

7. Councillor Earthey

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

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

Thank you Cllr Earthey.

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

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

Subject to receiving additional funding from central government (Office for Zero Emission Vehicles or OZEV) in the new year, we will be able to broaden the criteria with our next installation (Phase 2). We must still focus on residents on who do not have off-street parking, but we will be ensuring that charge points are evenly distributed across the City. Our aim is to have a charge point within a short walk of every resident who needs to charge their vehicle and who does not have off-street parking.

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

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

8. Councillor Bagaeen

S106 Moda

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

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

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

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

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

The decision to allocate further funding to Kingsway to the Sea, was also one taken transparently through the committee process. Following the public consultation on the Kingsway to the Sea project (which identified overwhelming public support to re-provide key facilities if funding could be found), the October Strategy, Finance and City Regeneration (SFCR) Committee meeting approved the use of a further £1.29M of S106 receipts, including circa £800k from monies being paid to the council for the Moda development. These unique facilities will benefit many residents in the new development, the immediate vicinity and across the city.

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

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

9. Councillor McNair

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

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

How does this

a) align with current laws around consent and

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

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

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

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

10. Councillor McNair

Bins at Carden Park

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

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

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

11. Councillor Lyons

Pothole repairs

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

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

Thank you, Cllr Lyons.

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

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

We are working with our communications team with a view to improving the customer engagement for those wishing to report safety concerns such as potholes. Decisions about how and when to prioritise repairs need to be taken as part of a robust risk-based approach that is implemented by qualified Engineers and Highway Inspectors.

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

12. Councillor Lyons

New crossing at Hangleton Road crossroads

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

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

Thank you, Cllr Lyons

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

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

13. Councillor Lyons

Santa Bus

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

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

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

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

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

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

14. Councillor Theobald

Patcham Roundabout

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

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

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

Thank you for your question Cllr Theobald.

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

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

I share your concern. I will pursue the improvements at the Patcham Roundabout that are called for and update you as soon as possible. I sincerely trust you share my

concern about the national government placing increasing and unreasonable financial strain on the public pursue and could agree with me the 2024 is definitely time for complete change from Tory roundabout of chaos to bring in the change we truly need.

15. Councillor Theobald

Change of use for Hippodrome

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

Reply from Councillor – Loughran, Chair of Planning Committee

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

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

The reason for refusal was as follows:

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

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

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

The principal application which seeks to restore the public performance function to the Hippodrome does remain under consideration and will not be determined as a

refusal or approval without going before the members of the Planning Committee. We are still encouraging the applicant to submit some additional pieces of information required to progress the proposal and we do not consider the refusal of this certificate (LDC) to hold up the main application.

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

16. Councillor Meadows

Flooding in Warmdene Road

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

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

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

17. Councillor McNair

Lighting at Old Boat Corner Community Centre

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

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

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

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

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

18. Councillor Hill

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

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

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

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

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

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

The council's current proposals for tackling falling pupil numbers is currently out for public consultation. Any future expansion of SEN provision in the city is managed via consultation with city schools and with our parent representative groups.

19. Councillor Shanks

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

Reply from Councillor – Taylor, Deputy Leader of the Council

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

20. Councillor Hill

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

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

Thank you for your question. The Council has never had a dedicated policy in place to support the installation of planters by residents or community groups. Previously, planters financed by these groups have been refused or agreed in a non-consistent way without any ongoing maintenance agreements in place. Unfortunately, some planters that were installed in good faith by residents or community groups have not been maintained. This has led to them falling into disrepair and attracting litter, and the council has had to step in to remove them when they became a safety concern.

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

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

21. Councillor Shanks

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

Reply from Councillor – Taylor, Deputy Leader of the Council

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

22. Councillor Hill

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

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

Thank you, Cllr Hill.

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

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

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

23. Councillor West

What legal basis is there for the recent move to restrict official opposition spokespeople from receiving officer briefings for committee and council meetings? All elected members have equal voting rights in committees, but some are now being deliberately kept in the dark about the council's business. Well informed scrutiny and the opportunity to recommend improvements are essential to ensuring service are delivered well. So how can the restrictions on access to information and involvement, councillors are now face with, be explained as a good thing?

Reply from Councillor – Sankey, Leader of the Council

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

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

24. Councillor Shanks

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

Reply from Councillor – Taylor, Deputy Leader of the Council

East Sussex County Council is the Administering Authority for the East Sussex Pension Fund and through its Pension Committee, made up of East Sussex County Council councillors, determines the strategic investment policies for the fund. However, this council, as an Admitted Body, is able to make representations through the separate Pension Board, which has a scrutiny role. In 2021 this council approved a Notice of Motion requesting the Chief Executive to write to the fund to urge them to divest fully from fossil fuels as quickly as practicable. At that time the fund had a 4%

exposure to fossil fuel equities but reduced this to under 2% the following year. The fund has further improved its position and the latest statement on its website states:

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

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

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

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

25. Councillor Mcleay

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

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

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

It is important that anyone sleeping rough is offered help as soon as possible and that the assistance offered meets their needs, so accommodation for people on the streets is provided through referrals from organisations who understand what's available and what support is needed. This is available all the time, every day.

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

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

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

26. Councillor Shanks

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

Reply from Councillor – Sankey, Leader of the Council

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

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

27. Councillor Shanks

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

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

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

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

28. Councillor Pickett

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

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

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

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

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

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

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

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

65 ORAL QUESTIONS FROM COUNCILLORS

65.1 The mayor noted that oral questions had been submitted and that 30 minutes was set aside for the duration of the item. She asked that both the questioner and responder endeavour to keep their questions and answers brief, to enable the questions listed to be taken.

65.2 Councillor Davis asked a question:

I think everyone who has read the report by Eileen McColgan KC into the appalling behaviour of the City Clean depot will agree that every effort must be made to focus on staff and residents to ensure that the issues highlighted do not happen again. The King's Council report makes repeated mention of political interference including at member panels and alleged sharing of confidential information by Labour Councillors is playing a key role in the development of a toxic work culture at City Clean. To ensure that this doesn't happen again when it comes to developing an action plan, can the Leader of the Council clarify what steps are being taken by the Labour administration to address any conflicts of interest?

65.3 Councillor Sankey replied:

We are obviously going to be debating substantively the report by Eileen McColgan KC into the whistle blowing allegations at City Clean. First, obviously, the most important thing to say is that the treatment that is revealed in that report of our valued staff members over a very long period of time is absolutely appalling, unacceptable, and has stopped and will not be allowed to take root in this organisation again. There are 10 recommendations in total that are made by the eminent KC, we have already said publicly that we will be implementing all of those recommendations and I pay tribute to the staff team who are already working incredibly hard to get those recommendations implemented. We will be bringing those to the Strategy, Finance, & City Regeneration Committee next month in January with a progress report, but our plan is to have all of those recommendations implemented within the next six months of the final backstop; some will take a little while for procedural reasons. An important recommendation in the report is the proposal to remove personnel appeal panels, and this is something that we

are progressing and about to get underway in terms of a consultation with our recognised unions. We agree as an administration with this on principle, we believe that it is not appropriate for politicians to be involved in any way in HR processes and what I compare it to is it would be as if civil servants in Whitehall had MP's involved in their HR appeals, which I think everyone would agree is inappropriate. We believe that formal processes related to disciplinaries and matters of dispute should be dealt with by officers in an objective way, and it's our view that this separation of duties between members and officers in employment matters is crucial to ensure that we have the right employment processes and that the organisation learns the lessons of the past. Going forward, we will need to ensure that we have the most robust and fair employment processes and that we treat our staff with fairness and respect, and as I've said we will be consulting our unions on the appeal mechanisms that should replace personnel appeal panels.

65.4 Councillor Davis asked a supplementary question:

I'm sure the Leader of the Council will understand that the city desperately needs assurances that the current administration is committed to openness and transparency, not least following the recent revelation of the alleged 340 mile round trip of two Labour Councillors just to get to their wards. In paragraph 12, 17, 18, 21, 22, 23, 24, and 45 the KC report refers to the 2019 Doherty report, it is clear then that the KC report cannot be read in isolation. To ensure that we get to the bottom of the context of issues at City Clean, and to reassure residents that the Council is committed to full openness and transparency, would the Leader of the Council agree to publish it?

65.5 Councillor Sankey replied:

The answer is no, and I'm going to explain why, I'll also say at the outset that the Greens left administration in May this year. They took over the administration in 2020, they had 3 years to publish this report if they had so wished and they didn't, so I find it interesting that they are suddenly so keen to publish the report. The 2019 decision not to disclose and publish the Doherty report was made on a number of bases; first, because it included observations and recommendations that were highly confidential when the report was concluded as they

A – detailed multiple instances of conduct by staff understood to have potential to be the subject of disciplinary action

B – included observations considered to be of a highly sensitive nature, not least because of the context of a risk of widespread industrial action.

For these reasons, a decision was made not to publish these papers prior to a policy and resources committee in 2019, and instead to discuss them in confidential session. The current position is this: the Doherty report, as Councillor Davis has just highlighted, is referred to in the recent independent investigation and Eileen McColgan KC had full access to this, as well as a huge amount of documentary evidence, and also the testimony of over 70 witnesses. Unlike the McColgan report, the Doherty report was not commissioned with the expectation of publication. While it would be possible to redact personal data relating to third party individuals in the Doherty report, a key concern, and the advice I have, is that it would not be possible to render the individuals concerned completely unidentifiable because of the other information which is already in the public domain. This is a concern considered to be especially live given the high-profile nature of the McColgan report. This risks compromising our internal disciplinary process and could create liability for the Council in terms of data protection and breach of confidence. Because the report was not commissioned on the basis that it would be published,

disclosure would be likely to inhibit the ability of Council staff, as well as other stakeholders, to express themselves openly, honestly, and completely in future and would negatively impact on the willingness of staff across the organisation to provide evidence and otherwise support the Council in sensitive processes. Council is still determining how best to respond and implement the recommendations in the McColgan report, and it is considered that disclosure of the Doherty report would have a negative impact on the Council's ability to focus on responding to the recent investigation.

65.6 Question 2 - Councillor McNair asked a question:

There have already been a number of well publicised accidents due to icy conditions, I know residents in Patcham & Hollingbury who have ended up in A&E. Officers have been very prompt to my queries but Patcham & Hollingbury, and many of the hilly areas across the city, have small roads which need gritting but are not on the priority list for gritting. What plans are in place to ensure that not only arteries such as Carden Hill and Carden Avenue are gritted adequately, but particularly steep hills are also gritted.

65.7 Councillor Muten replied:

We are very sorry to hear that some people were injured on ice. Particularly on Tuesday evening on 5th December and early Wednesday morning the following morning, our gritters were in action across the city on that Tuesday from late afternoon onwards. We gritted about 156 miles of road around the city, we prioritise main A-roads and most B-roads, bus routes, links to schools, and roads that lead to hospitals are key to emergency services. Our gritting programme is routinely reviewed and we're keen to hear from local communities to inform planned gritting routes improvements, and we'll take on those concerns regarding specific roads and Carden Avenue and others in your ward you've mentioned there, and we need to consider whether they should and could be included to be in our programme. We also need to ensure our grit bins are topped off ahead of the cold weather, and that's something we consider as a priority and we're going to make sure we'll do that better. We would always advise people to be very careful during icy periods as even gritting cannot absolutely guarantee a road will be free of ice.

65.8 Councillor McNair asked a supplementary question:

There is a map on the Council website showing grit-bins and red and amber roads, I don't think it is up to date with all the grit bins. What plans are there to ensure it is up to date, and could the red and amber routes be more fully explained to residents?

65.9 Councillor Muten replied:

I will take that away and answer that question for discussion with officers, and I would suggest that there's always room for improvement and it's wise to review and to reiterate that point; we are keen to get those improvements and where communities are aware of concerns, particularly about grit-bins, to make sure that they are up to date. I think that checks on the maps to make sure they're up to date as best they can be in terms of our websites and access to that and we may need to do some communication publicity to encourage people to look up their local streets to see whether they're included or not to get good feedback for communities.

65.10 Question 3 - Councillor Fishleigh asked a question:

When will printed parking vouchers be available, and how will residents and visitors be

able to buy them? Please could you just give me a month and some outlets, I don't need a big preamble.

65.11 Councillor Muten replied:

In July our administration commissioned a citywide parking review in response to an unsuitable, disconnected parking policy approach from the previous Green administration. Our parking review sets out to establish a simpler, fairer, more equitable, and digitally inclusive parking system, which is accessible to all, benefits the whole city, improves the environment, and adds up. This means that we are reviewing, as a priority, an option such as vouchers or on-street parking meters to enable those without access to mobile apps, their phone, or SMS text message, to be readily able to use. These options will be in the Parking Review Report early next year, and we are listening and are resolved to ensure no one is digitally excluded when parking.

65.12 Councillor Fishleigh asked a supplementary question:

In this parking report that's coming out early next year, will you be ready to go straight away and roll out the system? How long is it going to be?

65.13 Councillor Muten replied:

We are very keen to identify the best way forward and to review to make sure it's a viable option but I think there is an urgency and a promptness, particularly where perhaps some distance from a paypoint and access to other options. We do consider this a priority, the Parking Review will report in February and I'll be working closely with officers to see what we can do to fast-track and bring at least a trial in to show what we can do. I'll take that away and we'll come back.

65.14 Question 4 - Councillor Hewitt asked a question:

In Hangleton & Knoll, one of the concerns we heard in the runup to the elections in May was the unreliability of rubbish and recycling collections. What actions are the administration taking to address this?

65.15 Councillor Rowkins replied:

You're quite right that this was a top priority for a very large number of residents, I think we all heard about it time and again on the doorstep and since. Nothing exemplifies Council services like bin collections, and they have been unreliable for too long. I have been at the depot almost every week since the election and have spoken with staff at every level to understand the details of the service and its various challenges, but we've taken several steps to improve the service so far; crews are now performance managed to ensure that missed work is collected, we've recruited an afternoon shift who can drive any vehicle, collect any type of waste and collect any type of waste in any part of the city. This crew can be deployed flexibly and responsibly to any part of the city based on need and provides a whole new level of operational flexibility. We have new communal refuse vehicles on order, with the first due for delivery just after Christmas. We're also modernising systems in order to make changes to rounds more easily and ensure even and fair distribution of work, as well as provide real-time updates for residents. As we've heard a little bit about earlier, we're also improving working culture at the depot and ensuring managers can manage the service. I'm pleased to report that we're now seeing substantial improvements, I've got a few bits of indicative data which are basically taken from the first two-week periods of every month over the last few months, and this is comparing July to November, which is the last month we have information for. In July

there were 455 missed recycling collections, in November it was 187. In July we had 26 communal refuse collections and in November we had 8. In July we had 278 missed garden waste collections, and in November we had 98. We will continue to treat this service as top priority and are absolutely determined to deliver the service our residents deserve.

65.16 Councillor Hewitt asked a supplementary question:

Another query we had on this subject was the low range of items which can be overcycled, how is this being addressed?

65.17 Councillor Rowkins replied:

We've already made two improvements to our recycling provision, including the addition of metal lids to glass collections and the imminent rollout of 54 new bins for food and drink cartons, sometimes referred to as tetra-bats, and 21 new containers for waste electrical items. Incidentally, we currently only have 2 waste electrical item containers, this will take the total to 23 and there'll be subsequent rollout further down the line pending the success of this round rollout. We've also begun work on a comprehensive communications and messaging strategy in order to reduce our high levels of contamination. Our recycling contamination level in the city at the moment is around about 15% compared to a local and regional average of more like 5%, and that takes up a lot of capacity within our facilities. We will be doing this in order to reduce the contamination, minimise waste, and drive up recycling rates which unfortunately fell to new lows under the Green administration. We continue to develop our plans to introduce food waste collections as well as further expansions to the items we collect. Brighton & Hove has been languishing in the doldrums of the league tables for years; improving the situation and making us a more sustainable city is a personal passion of mine and I'm very pleased to be in a position to be able to deliver for our residents.

65.18 Question 5 - Councillor Pickett asked a question:

In 2022, Green councillors proposed expanding the city's smoke control area to cover the entire of Brighton & Hove in an effort to tackle worrying levels of air pollution created by wood-burning. In November of that year, a report the Greens authored recommended establishing a city-wide smoke control area as a matter of priority for the council. As a minority administration, however, the plans required support from across the chamber – Labour blocked any urgent action by way of an amendment which achieved nothing more than kicking a decision into the long grass. Greens voted against that blocking amendment with Labour and Conservative councillors voting it through, as a result, Brighton & Hove remains the single largest city in the country not entirely covered by a smoke control area. With research showing 89% of the city is now regularly breathing air which exceeds the World Health Organisation's safety limit, and air pollution from wood burning now considered a greater threat to air quality than all the cars and roads in the UK, will Labour finally agree to a local smoke control area which covers the entire city?

65.19 Councillor Rowkins replied:

I saw in the Argus this week that you're calling on us to expand the 5 smoke control areas that we already have to cover the whole city. Thank you very much for the suggestion, but it is something we are already looking at in detail. I was just going to say this information, but I'm quite keen on a bit of audience participation here – I wonder if anyone can guess how many instances of enforcement there were in any of our five smoke control areas during the term of the last Green administration? Let me check my

notes – it was 0. Just to be clear, there was not a single case in which enforcement took place based on smoke control status, so presumably it would be the Green Party policy to just draw a bigger shape with a felt tip pen on a map, send it to the Argus, and give themselves a pat on the back. Residents will be pleased to hear that we're taking a more methodical and evidence led approach. We've been reviewing the data available for particulate matter and inferring, as best we can, what the contribution is in Brighton & Hove from solid fuel burning in the areas in which we have monitoring capabilities. During this winter, we will be actively investigating potential avenues for enforcement in the existing smoke control areas, and that will be supported by funding that we've secured from DEFRA specifically for this purpose. This year, for the first time, our trading standards officers have been out visiting business who supply logs into our city to identify instances of non-compliance, next year we're rolling out improved and expanded particulate monitoring to better enable us to judge to contribution of solid fuels to particulate pollution citywide, including at our schools and in our neighbourhoods. We will combine this, and other data, with our assessment of our ability to effectively enforce, and that will inform the basis of our approach. Madame Mayor, while the Green party is busy posturing in the papers, we are on top of the detail and getting on with our work.

65.20 Question 6 - Councillor Meadows asked a question:

I'd like to know what Labour is doing to develop a hub for the 3000 veterans in Brighton & Hove, so they don't have to travel to Eastbourne or Worthing?

65.21 Councillor Pumm replied:

Can I start by saying that, as the son of a veteran myself, I'm proud that this Labour administration actually cares about veterans and the armed forces deeply. We are making substantial progress to be a good place for veterans again. We started by appointing a lead on Armed Forces & Veterans, Amanda Grimshaw, and she's quite busy with getting us to a gold status. The good news is we have been reaccredited with the military covenant for silver status, so that's good news, and now we're taking the steps necessary to get the gold status. We also, Madam Mayor with yourself, organised a reception for veterans in November, and that was absolutely appreciated. We are rebuilding relationships at the moment, and we are serious not only thanking veterans for their service but looking after them in the best way possible. That means we are also exploring breakfast clubs as one of the measures. I can take the point away about hubs, and I'm happy to explore in partnership with Councillor Grimshaw what we can do, but I'm proud that we've taken the steps and we're serious about it.

65.22 Councillor Meadows asked a supplementary question:

I'd be interested to know in a dedicated hub for those who served our country and who may be suffering mental health disorders and physical disabilities through serving their country. It really is important for them not to have to travel so far. May I suggest some sites, like Patcham Court Farm might be a good hub for those veterans and would be a far better use than the Royal Mail.

65.23 Councillor Pumm replied:

I think we're always open for suggestions, so thank you very much and we can have a deeper conversation at some point probably after the Christmas break. We're looking always for partners and we're always open to any suggestions.

65.24 Question 7 - Councillor Earthey asked a question:

If recent financial news reports are to be believed, Labour HQ may follow the Conservatives lead and renege on the commitment to pledge £28 billion per year on green initiatives and sustainability. If that is true, what additional funding pressure will that place on the council's green budget? Will this administration's revised 2030 programme be financially viable in any shape or form?

65.25 Councillor Muten replied:

The breadth of scientific evidence presses home the urgency for global climate action. A new deal has been agreed at the United Nations COP 28 summit in Dubai calling for all countries to move away from the use of fossil fuel and that was signed yesterday, and decarbonisation of cities is vital as part of that. When we came into administration, we were acutely aware that there was a huge amount to do for our city to reach carbon neutrality, however, when we lifted the bonnet of the CN2030 plans, we were truly shocked to find there was no real plan beyond an aspiration and an annual carbon reduction target for the council; an aim without substance. The previous Green administration had not mapped out how we will get there and had no clear strategy and had found no partners with funds committed to enable the delivery. I'm pleased to say we have since corrected course. In October, at the Transport & Sustainability Committee we gave approval for officers to commission a decarbonisation pathways study, this will model and cost future scenarios for carbon reduction and see development of an action plan to help deliver our ambition to achieve carbon neutrality.

65.26 Councillor Earthey asked a supplementary question:

Local climate action environmental groups regard the possibility of the loss of central government funding as a very real existential threat, and we are starting the circle the waggon in response to that threat. Does the Labour administration want to be on the inside of the circle with us, or stay outside it?

65.27 Councillor Muten replied:

We're determined to work this through for our decarbonisation pathway study and we recognise that to achieve carbon neutrality as a city, we can't do this on public funds alone, we need to go into partnership with others, we've got less than 2% contribution of the council, and we need to work with other businesses, communities, partners, activists, and potentially significant funding through private sector to deliver the carbon neutrality, and so we are committed to this, and I mentioned at the beginning with my answer, it's absolutely urgent. There's a climate emergency and biodiversity emergency. What's been discussed at COP28 is essential to the world's need to take fossil fuels out of the equation and to decarbonize our economy. Yes, we need to work to achieve that, and we need to find a plan that's credible and achievable, understanding risks and understanding the funding mechanisms to achieve that, and that's what we're about, we're serious about getting there.

65.28 Question 8 - Councillor West asked a question:

Residents and experts have raised considerable concerns about the proposed redevelopment of Patcham Court Farm by Royal Mail, risks include contamination of the city's water supply from disturbance of the aquifer, additional flooding of the A23 from over topping of inadequate suds. This is in addition to compromise road safety from challenging site access and parking closures. The council owns the site and can therefore avoid these serious risks, will Labour withdraw the land sale?

65.29 Councillor Sankey replied:

The Royal Mail proposal for Patcham Court Farm is subject to a planning process, and I believe all of the things that he's outlined are currently being investigated and explored as part of that process, so it wouldn't be right for me to comment on that.

65.30 Councillor West asked a supplementary question:

It's nothing to do with the planning, it's to do with the landlord's responsibilities. Given the urgency, as Councillor Muten mentioned, about the need to move to a low carbon economy, the current use of the site is fairly low impact and I would like to ask whether or not the Council may consider the use of the site to support the circular economy, which is endeavouring to reduce the carbon footprint of the city, or for other strategically positive purposes.

65.31 Councillor Sankey replied:

No decisions have been made by the administration about the future of Patcham Court Farm, as I think Councillor Pumm indicated earlier, we're always open to suggestions about uses of land that we own. On the decarbonisation point though that Councillor West raises, I think it's worth colleagues being aware that we have been made aware that this council has never previously submitted an application for any of the billions of pounds in government public sector decarbonisation funding that exists, and it also relates to Councillor Earthy's point; Worthing and Eastbourne have been among the councils that have applied for and received millions, so yes we are serious about decarbonisation, much more serious than the previous administration.

65.32 At the expiry of the 30 minutes allowed for oral questions the Mayor proceeded to the next item of business on the agenda.

66 APPOINTMENT OF CHIEF EXECUTIVE AND HEAD OF PAID SERVICE

66.1 Councillor Winder introduced, and formally moved the report.

66.2 The Mayor congratulated Councillor Winder on their maiden speech.

66.3 Councillor Davis, McNair and Fishleigh spoke on the matter.

66.4 The Mayor put the recommendations as detailed in the report listed in the agenda to the vote which was carried.

66.5 **RESOLVED:**

- 1) That Council appointed Jess Gibbons as Chief Executive and Head of Paid Service subject to the satisfactory completion of any outstanding pre-employment checks.
- 2) That the commencing salary for the post be set at £190,000 per annum
- 3) That the appointment takes effect from 1st March 2023 or later.
- 4) That the Director of Human Resources & Organisational Development, after consultation with the Leader of the Council, be authorised to take all steps necessary

or incidental to implementation of the appointment, including any detailed terms or administrative arrangements that may be outstanding.

67 REPORT BY AILEEN MCCOLGAN KC

- 67.1 Councillor Sankey introduced, and formally moved the report.
- 67.2 Councillor Davis moved an amendment to the recommendations in the report on behalf of the Green Group which was formally seconded by Councillor Shanks.
- 67.3 Councillors West, McNair, Rowkins, Meadows, Taylor, Pumm, McLeay and Hill spoke on the matter.
- 67.4 The Mayor noted that an amendment to the recommendations had been moved and put to the vote which was lost.
- 67.5 The Mayor, then put the recommendations as detailed in the report listed in the agenda to the vote which was carried.
- 67.6 **RESOLVED:**
- (1) That Members note the report as set out in the Appendix.
 - (2) That Members note that a report will be submitted to the January meeting of the Strategy, Finance and City Regeneration Committee with an action plan to implement the recommendations.

68 HOVE STATION NEIGHBOURHOOD PLAN DECISION STATEMENT

68.1 RESOLVED:

That Council:

- (1) To determine that the Hove Station Neighbourhood Plan be modified according to the recommendations in the independent examiner's report and as set out in the attached Decision Statement (Appendix 1) and that the Decision Statement be published.
- (2) To approve the examiner's recommendation that the Neighbourhood Plan proceed to referendum, subject to modifications set out in the Decision Statement. The referendum area is the Hove Station Neighbourhood Area.
- (3) In the event that more than 50% of those voting support the Neighbourhood Plan at referendum, that the Council formally 'makes' the Hove Station Neighbourhood Plan at its next meeting following the referendum.

69 ROTTINGDEAN PARISH NEIGHBOURHOOD PLAN - DECISION STATEMENT

69.1 RESOLVED:

That Council:

- (1) To determine that the Rottingdean Parish Neighbourhood Plan be modified according to the recommendations in the independent examiner's report and as set out in the attached Decision Statement (Appendix 1) and that the Decision Statement be published.
- (2) To approve the examiner's recommendation that the Neighbourhood Plan proceed to referendum, subject to modifications set out in the Decision Statement. The referendum area is the Rottingdean Parish Neighbourhood Area.
- (3) In the event that more than 50% of those voting support the Neighbourhood Plan at referendum, that the Council formally 'makes' the Rottingdean Parish Neighbourhood Plan at its next meeting following the referendum.

RESIDENTIAL PROPERTY STRATEGY (NON-HRA)

69a.1 RESOLVED:

- (1) That the report and the Minute extract of the Strategy, Finance & City Regeneration Committee meeting held on 7 December 2023 for information.

70 SOLIDARITY WITH OUR COMMUNITIES AGAINST HATE

- 70.1 The Notice of Motion as listed in the agenda was proposed by Councillor Hill on behalf of the Green Group and formally seconded by Councillor McLeay.
- 70.2 The Mayor noted that there were two amendments in relation to this motion as set out in the addendum papers.
- 70.3 Councillor Earthey moved the first amendment on behalf of the Brighton & Hove Independents Group which was formally seconded by Councillor Fishleigh.
- 70.4 Councillor Pumm moved the second amendment on behalf of the Labour Group which was formally seconded by Councillor Sankey.
- 70.5 Councillors McNair & Meadows spoke on the matter.
- 70.6 Councillor Hill confirmed that they would not accept the amendments.
- 70.7 The Mayor then put the Labour Group amendment to the vote which was carried.
- 70.8 The Mayor then put the Brighton & Hove Independents Group amendment to the vote which was lost.
- 70.9 The Mayor then put the following motion to the vote:

"That this council notes:

- 1) Brighton and Hove's status as a City of Sanctuary for all those fleeing persecution, conflict, hatred, and discrimination.
- 2) Brighton and Hove's longstanding, cross-party commitment to stand against hatred in all its forms.
- 3) The impact of the situation in Israel and Palestine on our residents and particularly of our Jewish, Muslim, Israeli, Palestinian and Christian residents – some of whom we know have had family members and friends killed in recent weeks

Therefore, resolves to:

- 4) Unequivocally condemn antisemitism and Islamophobia and to reaffirm our position that hate will not be tolerated in Brighton and Hove; further, to reaffirm our status as a City of Sanctuary.
- 5) Endorse calls from the UN Secretary-General António Guterres, the IRC and the ICRC for the release of all hostages and an immediate ceasefire by all parties in the conflict.
- 6) Requests officer to continue to work in partnership with faith and community groups in the city and work to protect our communities who are facing rising hate crime and racially motivated violence.”

70.10 The Mayor confirmed that the motion had been carried.

71 PRIORITISING DOMESTIC ABUSE VICTIMS IN HOUSING ALLOCATION

71.1 The Notice of Motion as listed in the agenda was proposed by Councillor Nann on behalf of the Labour Group and formally seconded by Councillor Grimshaw.

71.2 The Mayor congratulated Councillor Nann on their maiden speech.

71.3 The Mayor noted that there was an amendment in relation to this motion as set out in the addendum papers.

71.4 Councillor McLeay moved an amendment on behalf of the Green Group which was formally seconded by Councillor Pickett.

71.5 Councillors Meadows spoke on the matter.

71.6 Councillor Nann confirmed that they would not accept the amendment.

71.7 The Mayor then put the Green Group amendment to the vote which was lost.

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

This council notes:

- 1) We recognise that many people fleeing from domestic abuse and facing homelessness have already suffered significant trauma and likely spent time in unsettled accommodation in a refuge
- 2) More should be done to support those who have fled domestic abuse or violence to find safe and secure accommodation
- 3) DAHA accreditation is the UK benchmark for how housing providers should respond to domestic abuse in the UK and something that the Council's housing team and all housing providers should be aiming for

Therefore, resolves to call for an officer report to HNC Committee which addresses the following:

- 4) How to ensure that appropriate priority for those who have fled domestic abuse or violence is included in the review of the Council's housing allocation policy
- 5) Sets out what steps are required for the Council's housing team to achieve Domestic Abuse Housing Alliance (DAHA) accreditation
- 6) Identifies how the Council will work with all local housing providers to ensure that they are also working towards securing DAHA accreditation
- 7) How the Council will ensure that all council staff and relevant staff of housing partner organisations are trained to recognise potential signs of domestic abuse

71.8 The Mayor confirmed that the motion had been carried.

72 BLOCKED GULLIES AND DRAINS

72.1 The Notice of Motion as listed in the agenda was proposed by Councillor Meadows on behalf of the Conservative Group and formally seconded by Councillor Theobald.

72.2 The Mayor noted that there were two amendments in relation to this motion as set out in the addendum papers.

72.3 Councillor Rowkins moved the first amendment on behalf of the Labour Group which was formally seconded by Councillor Muten.

72.4 Councillor Pickett moved the second amendment on behalf of the Green Group which was formally seconded by Councillor Hill.

72.5 Councillors Earthey spoke on the matter.

72.6 Councillor Meadows confirmed that they would not accept the amendments.

72.7 The Mayor then put the Green Group amendment to the vote which was lost.

72.8 The Mayor then put the Labour Group amendment to the vote which was carried.

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

"This Council:

- 1) Notes that blocked gullies and drains are leading to significant flooding issues within our communities when there is heavy rainfall and that this is causing great difficulty for many residents;
- 2) Notes that the costs associated with maintaining drains and gullies has substantially increased in recent years due to a number of factors, including inflation, cost of fuel, and workforce shortages post-Brexit
- 3) Notes that, due to central government cuts, the budgets available for clearing and maintaining gullies and drains has remained static for many years, resulting in a real-terms cut of around 50%.
- 4) Notes that the costs of suspended parking in roads where gullies and drains are due to be cleared, or the moving of vehicles parked over gullies and drains means that some are not cleared when attended for example Nevill Close missed the last two scheduled clearances in September 2021 and March 2023 due to parked cars and was not scheduled for another clearance until September 2024;

This council therefore resolves to:

- 5) Have an officer report brought to the next Transport and Sustainability Committee outlining an action plan to improve and increase the clearing of blocked gullies and drains across Brighton and Hove, subject to funding.
- 6) Ensure that in the next update report to Transport and Sustainability committee, officers detail the approach to prioritising high-risk areas for regular clearance; the financial implications of the ongoing maintenance and clearing programme; and how the council will work collaboratively with Southern Water to alleviate pressure on the system through deployment of SuDS at strategic locations.”

72.10 The Mayor confirmed that the motion had been carried.

73 CLOSE OF MEETING

The meeting concluded at 9.44pm

Signed

Chair

Dated this

day of

2023