

BRIGHTON & HOVE CITY COUNCIL**COUNCIL****4.30pm 8 OCTOBER 2009****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

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

PART ONE**13. STATUTORY OR VOLUNTARY DISCLOSURE BY COUNCILLORS OF INTERESTS IN MATTERS APPEARING ON THE AGENDA.**

- (a) Councillors Elgood, Oxley and Randall referred to Item 24(e) and stated that as members of the Trust they had a personal but non prejudicial interest in the matter.

14. MINUTES.

- 14.1 The minutes of (a) the Ordinary Meeting held on the 16th July 2009 were approved and signed by the Mayor as a correct record of the proceedings; and
- 14.2 The minutes of (b) the Extraordinary Meeting of the Council held on the 13th August 2009 were approved and signed by the Mayor as a correct record of the proceedings.

15. MAYOR'S COMMUNICATIONS.

- 15.1 The Mayor welcomed the new Chief Executive; Mr. John Barradell to the meeting and the city and wished him every success in his role.
- 15.2 The Mayor then called for a minute's silence as a mark of respect for the deaths of former Councillor Brian Rowe, Mr. Charlie Jordan and Guardsman Janes who came from Brighton and had lost his life whilst serving in Afghanistan.

- 15.3 The Mayor offered her congratulations to all those involved in the organisation of the recent Public Services Awards, which had proved to be very successful and she hoped would become an annual event. In particular she drew Council's attention to the fact that Access Point were joint winners of the Best Innovative Customer Service Award; having been nominated by Councillor Norman, and that the Democratic Services Team had been shortlisted for the Public Service of the Year Award.
- 15.4 The Mayor then referred to the leaflets that had been distributed around the Chamber, which detailed the 'Ahead of the Game Campaign'. The campaign had been launched earlier in the day at the Withdean Stadium and aimed to promote the awareness of cancer in men.
- 15.5 The Mayor reminded Councillors that her Christmas reception was due to take place on Wednesday 9th December at 7.00pm in the Royal Pavilion."

16. TO RECEIVE PETITIONS FROM MEMBERS.

- 16.1 The Mayor invited the submission of petitions from councillors. She reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the councillor presenting the petition would be invited to attend the meeting to which the petition was referred.
- 16.2 Councillor Davis presented a petition signed by 289 residents concerning the reduction in the speed limit to 20mph for Osmond & Davigdor Roads.
- 16.3 Councillor Marsh presented a petition signed by 84 residents concerning a request for the reinstatement of a mobile library for Bevendean.
- 16.4 Councillor Brown presented a petition signed by 59 residents of Chalfont Drive concerning the protection of the Green from any development.
- 16.5 Councillor Wells presented a petition signed by 333 residents concerning a request for the installation of a crossing for Happy Valley Park, Woodingdean.
- 16.6 Councillor Randall presented a petition on behalf of Councillor Kennedy, signed by 70 residents concerning the need for adequate shelving in the Jubilee Library.
- 16.7 Councillor Kitcat presented a petition signed by 72 residents concerning parking in Regency Square.
- 16.8 Councillor Kitcat presented a petition signed by 14 residents concerning a request to extend the parking restrictions in Castle street and Stone Street to 24hours a day.
- 16.9 Councillor Bennett presented a petition signed by 103 residents concerning objections to Planning Application No. BH2009/01464.
- 16.10 Councillor Bennett presented a petition signed by 34 residents requesting the installation of single/double yellow lines in Erlington Road and the Droveway.

16.11 Councillor Bennett presented a petition signed by 18 residents concerning a request for an extension of double yellow lines around the road junctions of Hove Park Way and Onslow Road.

16.12 Councillor Bennett presented a petition signed by 142 residents concerning the provision of a new club house for the tennis clubs in Hove Park.

17. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

17.1 The Mayor reported that one written question had been received from a member of the public and invited Mr. Hawtree to come forward and address the council.

17.2 Mr. Hawtree asked the following question:

“Could Councillor Smith please tell us whether each of Brighton’s Jubilee Library and Hove’s Carnegie Library has a designated Music Librarian?”

Councillor Smith replied, “There are no posts dedicated specifically to music in either library. Instead we have teams of staff in each library who have been trained to answer music enquiries. We also have some more experienced staff in both libraries who are able to deal with more specialist enquiries.”

17.3 Mr. Hawtree asked the following supplementary question,

“Councillor Smith can we now reverse this decline by ensuring that we adopt the Westminster model of specific Music Librarians?”

17.4 Councillor Smith replied, “We come out nationally as the fifth best library in the whole country, that’s us and in the city and I can tell you this Mr Hawtree, we have got a 91% satisfactory rate with our libraries.

Can I say through you, Madam Mayor, I don’t mind Mr Hawtree having a go at me but when he picks on our library staff, our dedicated library staff for doing the best of their ability all the time and all the officers’ time it takes for his questions. Now, if it was 200 years ago, Madam Mayor, we would have sorted all this out by a duel which I would have won but nowadays, Madam Mayor, the democratic way is through the ballot box and I am quite happy for Mr Hawtree to put his name up as a candidate in the Rottingdean Coastal Ward next time and he can take me on there in the election..”

17.5 The Mayor thanked Mr. Hawtree for his questions.

18. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

18.1 The Mayor reported that one Deputation had been received and invited Mr Kassab as the spokesperson for the deputation to come forward and address the council.

18.2 Mr Kassab thanked the Mayor and stated that:

“Thank you for allowing me to speak to you today about the traffic problems in Carlyle Street.

I just want to set the scene of our street. I have lived in the street for approximately 19 years. We have got a good sense of community spirit and we help each other. Our street is in Hanover: it's one-way with a steep gradient with speed bumps and a 20mph limit. The distance from the front of my house to the street is no more than 10 feet and our street has now become a well established 'rat run' to avoid traffic lights at the junction of Elm Grove and Queen's Park Road.

The problems we regularly face are causing real distress. We experience a constant stream of traffic night and day causing pollution, vibration and noise. This low frequency vibration shakes our houses. It's difficult to sleep, it's difficult to open windows and get fresh air, it's even difficult to listen to the radio, watch TV or just relax. Many vehicles regularly exceed the 20mph limit putting us and children walking down the street to Elm Grove School at risk.

We have lots of commercial vehicles, large lorries and even 'artics' straining to get up the street to avoid the junction. They get stuck, they cause damage to our cars, the result of which has been that residents are now parking on the pavement on both sides which just makes it easier for the traffic to whiz up our street. We are also faced with the impatience and abuse from the drivers who are trying to cut through when we are just trying to unload or park our vehicles.

We have set up an action group. I've got 43 households who have signed a petition to support us. We want to work with the council to find an immediate, affordable and lasting solution to this very real problem and for us as residents to regain the benefits of living a normal and quiet life.”

- 18.3 Councillor Geoffrey Theobald stated “Thank you for raising this issue and I really do appreciate you offering to work with the council to try and find a solution. We acknowledge your concerns and I note that you have previously corresponded with officers on this matter. The current traffic calming measures were implemented after careful consideration and are a standard approach to dealing with the problems that existed in Carlyle Street and other similar roads within the city.

As I mentioned at my last Cabinet Member Meeting we will be embarking upon the next phase of the speed limit review shortly, once the Department for Transport has issued new guidance on the setting of speed limits. However, if you have any specific ideas of what measures could be taken to alleviate the situation in Carlyle Street, the council will consider these in the light of any supporting evidence.

Listening to your deputation both the Director and the Assistant Director for Sustainable Transport are here and I am actually going to invite the Assistant Director to have a word with you afterwards to start a sort of, I won't say 'get together', but you will understand what I mean and he will have a word with you afterwards.”

- 18.4 The Mayor thanked Mr Kassab for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and deputation would now be

referred to the Environment Cabinet Member Meeting for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

19. WRITTEN QUESTIONS FROM COUNCILLORS.

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

19.2 (a) Councillor Davey asked:

"Could the Cabinet Member for the Environment please tell me how many petitions, letters or other requests for speed limit cuts have been submitted to the council by residents and councillors since they formed the administration in May 2007?"

19.3 Councillor Theobald replied:

"Records show that officers receive an average of approximately three a month."

19.4 Councillor Davey asked a supplementary question; "It sounds to me then there's been something in the region of 90 requests for speed limit cuts by residents and communities within the city, plus at least one more today, so I just wondered if you could say how many of those have actually resulted in speed limit cuts?"

19.5 Councillor Theobald replied; "I don't actually have that information to hand. All I can say, and you will be aware because you are a regular at my Cabinet Member Meetings you know the number that I have approved, you know it is quite a number, but I can't give you a specific figure I'm afraid but I can write to you afterwards if you would like that."

19.6 Councillor Cobb asked a further supplementary question; "The Cabinet Member will be aware that a minority of cyclists in the city regularly flout road traffic regulations thereby causing danger to pedestrians and motorists alike. Can he reassure me if speed limits are cut in parts of the city that the behaviour of the cyclists will effectively be policed as well as that of the motorists?"

19.7 Councillor Theobald replied; "Could I first of all say, just going back to the first question again, Councillor Davey knows that I have written to the Chairman of the relevant Scrutiny Committee to ask him to look at the question of speed limits.

Going back to the second question, the question of cyclists speeding: we do read in the local newspaper and we do have a number of complaints about cyclists speeding, whether they're going over 20mph I'm not sure but some do it's quite true and it does irritate residents, visitors and all of us when cyclists do not obey cycle lanes or go over red lights and suchlike. Obviously the question of speed limits which is here and I have asked the Chairman of the Scrutiny Committee to look at speed limit implementation of 20mph. If there was a 20mph limit in a particular place then everybody would be

expected to keep within the 20mph whether they are a motorist, a cyclist, a bus, a taxi or whatever. But I do understand the question.”

19.8 (b) Councillor Kitcat asked:

"Can Councillor Theobald explain to the meeting his priorities for the seafront area and how he intends to implement them?"

19.9 Councillor Theobald replied:

“Thank you for your question and I welcome the opportunity to highlight the importance of the Seafront.

Priorities are already being met on the Seafront, including a safe and clean environment for all to enjoy by the day to day work of the Seafront and City Clean staff. The addition of the summer Seafront Office in Hove has been a much welcomed development to the service.

The restoration of the Western Bandstand has been a hugely popular project, especially with the general public, and there has been tremendous interest from bands who want to play in next year’s programme of concerts.

Madeira Drive is a focal point for current work being undertaken and the development of a vision for the area. Lighting in the colonnades has been improved and the second phase of restoration works has started on the Madeira Lift in order that it can be completed for next season. In addition, plans are currently being developed for the replacement of the Volk’s railway siding sheds to utilise the funding allocated in the capital programme.

A further priority will be to seek expressions of interest in the area of land near to the Yellowwave Beach Sports Centre to replicate the success of that facility.

Planned maintenance resources are also being prioritised with work currently being undertaken on shelters along Marine Parade. Further work will also take place on other shelters and railings before next season.”

19.10 Councillor Kitcat asked a supplementary question; “Thank you Councillor Theobald for your response. It’s extremely telling that in your quite lengthy response you fail to mention in any way the seafront businesses.

We saw that residents were left appalled when they heard of the 30% cut that the consultant hired by the council was getting for any uplift in addition to the retainer he was receiving: information which I could only get after making a Freedom of Information request. It’s clear that this kind of approach doesn’t support the key local businesses at our tourist attraction.

Will Councillor Theobald agree to a new set of rent valuations and negotiations by an independent surveyor who has got a flat rate fee?”

19.11 Councillor Theobald replied; "I have really referred to this line of questioning now twice in this council and at my Cabinet Member Meeting but can I just make the point this is not a new policy. Councillor Mitchell, when she was in my position in the last Labour Administration, will know that, and I have a list here, in 2000, 2005, 2003, 2002 exactly the same method of payment to surveyors was used, so this is not a new method and because this is what you are complaining about the 30% on the uplift that has been used by this council as I say and I have a list here back as far as 2000. It is also used by other authorities in the country.

What I do want to make clear and I have tried to before, this method of agreeing payment for rental and negotiations is only used in the case of the very large clubs and in actual fact it is four in number, so it's four out of all the businesses along the Seafront. Quite frankly the reason why this method is used is because one needs a specialist firm to deal with such matters, actually negotiating rental values of large clubs is a different matter than negotiating rents of shops, shall we say, it is completely different, I can assure you. That is why a specialist leisure company does actually handle those valuations for us and will continue so to do. As I have said it is only in the case of four premises that that method is used."

19.12 Councillor Peltzer Dunn asked a further supplementary question; "Could I please just ask Councillor Theobald to confirm that, I think I am right in saying, of the four premises that we are talking about where these consultants have been used by us that, of course, those businesses have the right to appoint their own specialist advisers who would negotiate directly with our professional adviser?"

19.13 Councillor Theobald replied; "Yes, of course, and I did try and explain this at a previous council meeting and I know that Members will remember that."

19.14 (c) Councillor Kitcat asked:

"Councillor Theobald will be aware of the rust on the seafront bandstand which recently had to be repainted. Can the Councillor explain why rust is already visible? I understand recent touching up was done at no cost to the Council but what will be the cost of ongoing maintenance of the bandstand and how will that cost be met?"

19.15 Councillor Theobald replied:

"With the complex restoration of such an intricate historical structure, it is not unusual for some areas to need further attention. These are resolved as part of the year long rectification period and the contractor does meet the cost of the work during this period. There will be an annual maintenance plan to undertake maintenance works as required. These works will be procured as part of the planned maintenance budget for the seafront. We will therefore ensure that the impressive, and popular, restoration will be retained."

19.16 Councillor Kitcat asked a supplementary question; "What processes does Councillor Theobald's department have to manage quality and does he really believe they are adequate?"

- 19.17 Councillor Theobald replied; "Well, the second part of your question is yes but I do think, Councillor Kitcat, sometimes you ought to join in with the rest of the residents of this city. I mean, you refer to the bandstand: I can't think of a more popular decision that has been made by a council than the one we made here. I mean, people are dancing on that bandstand and it is a great pity that you don't avail yourself, or perhaps you do, of dancing on the bandstand yourself."
- 19.18 Councillor Older asked a further supplementary question; "I was actually going to ask Councillor Theobald or get him to support my view and the whole city's view how wonderful the bandstand is and what a good idea it was a couple of years ago for us to put forward the money for it. Just to lighten the mood a bit, it is a wonderful building and I am glad, would you agree, that it is a jewel in the crown of the seafront?"
- 19.19 Councillor Theobald replied; "Yes, absolutely and I think at these very difficult times that council's throughout the country are having to deal with budgets and suchlike, for this council to go ahead and do a refurbishment of this nature, which in its turn will enable the whole area around it to improve, will help the economy and help everything else. I think is a tribute to this council to go ahead with it in the way it has."
- 19.20 (d) Councillor Kitcat asked:
- "Would Councillor Theobald be so kind as to provide the meeting with the cost per tonne this year to the council to recycle paper and the average price per tonne received by our contractors for the sale of that paper on the open market?"
- 19.21 Councillor Theobald replied:
- "The cost associated with the collection and processing of recycling this year is projected to be £160 per tonne. This is a saving to council taxpayers, as if we landfill too much biodegradable waste - which includes paper - we face fines of £150 per tonne, this is in addition to disposal costs of £144 per tonne. The average income per tonne of paper recycled is approximately £28 of which the council receives half, £14."
- 19.22 Councillor Kitcat asked a supplementary question; "Councillor Theobald's response says that the council receives only £14 per tonne of paper recycled because we have to split the other half with Veolia. However, a district council in the same joint waste contract as East Sussex County Council and Brighton & Hove, chooses to do their paper recycling themselves because it brings in revenue of £80 per tonne after their costs.
- Why doesn't Brighton & Hove City Council do that? I thought the Tories believed in value for money. Is Councillor Theobald in control of his brief?"
- 19.23 Councillor Theobald replied; "I think one of the things that Councillor Kitcat should really look at before he asks me questions of this nature - you refer to a district council - they are not a waste disposal authority, Councillor Kitcat, so I think first of all you should look at those sorts of things. We do look at the best ways of dealing with matters and certainly there is no question about that."

19.24 (e) Councillor Steedman asked:

“Through a process of public workshops and expert research and analysis, leading sustainability consultants BioRegional, working with council officers, prepared a first draft of a One Planet Living Plan for Brighton and Hove. The draft Plan, funded by thousands of pounds of taxpayers' money, matched by a generous equivalent donation of time from BioRegional, began to set out how the Council, its partners and the residents of the city could work to create a sustainable Brighton and Hove, with a high quality of life, living within its ecological means. Could the Leader of the Council confirm that her Administration has now abandoned this work and has no intention of adopting a revised final draft of the Plan, or of achieving One Planet Living status for the city?”

19.25 Councillor Mears replied:

“The draft plan has been helpful, and has provided us with valuable data on the potential avenues that will lead to a sustainable future. But we must choose these paths with care. While the draft plan has already proved its value in shaping the City Sustainability Partnership's responses to various strategies, it is overambitious to the point of being unrealistic and we simply cannot sign up to everything in it. The Partnership can continue to work with the plan and the council will pick the very best elements from it, so the work put in is far from wasted.”

19.26 Councillor Steedman asked a supplementary question: “My thanks go to the Leader of the Council for her answer which seems to suggest that her Administration is not really capable of understanding the concept of a first draft which can be refined and honed, rather than chucked away because we don't like a few of the details and in so doing we see this Administration help to set up a City Sustainability Partnership and we utterly undermine it. Indeed in the last week the party of Administration has set out its 10 national priorities, none of which is sustainability.

That we are living beyond our ecological means is obviously not a problem for this Administration, true blue indeed. My question is, does the Leader of the Council believe that we have more than one planet and if so is she on another one to the rest of us?”

19.27 Councillor Mears replied; “Thank you Councillor Steedman, actually I do not intend to answer in the same vein that you gave me your supplementary but there you go, it's a shame.

BioRegional's experience has been most welcome and their commitment to Brighton and Hove is clear. The process of engagement with local people to develop the plan was good. The draft plan has helped shape other strategies and plans in a significant way and can continue to do so.

There are certainly some very useful and strong ideas and proposals in here, particularly in relation to encouraging local businesses and the use of local suppliers and also around developing a low carbon Brighton and Hove which is our key sustainability priority.

As Councillor Steedman knows, because he comes along to the Sustainability Cabinet Committee, it is a very detailed agenda that we go through. However, there are parts that are hopelessly unrealistic: 70% citywide recycling and composting rates, all new homes to have maximum water use of 100 litres per person per day from 2014. For example, we also have some that really are perhaps quite questionable, Councillor: 75% of residents to choose to be largely vegetarian by 2020. I am not quite sure where the freedom of choice comes from in that proposal. Residents and workers should be within 400 metres of local and organic food suppliers and 30% of people should eat organic food. All residents and workers to be participating in at least two cultural or heritage activities per month. Promote alternatives to shopping as a hobby, such as participating in sport, cooking, making one's own clothes, etc, and I am sure our local businesses would be delighted with that one. Also to avoid travel, particularly air travel, and I am sure Caroline Lucas has a lot to say on that Councillor and to holiday locally as much as possible.

I see your point and I know you do attend our Sustainability Cabinet Committee and you know the seriousness of the agendas that we take forward. I do think you have to agree with me that actually some of the proposals are totally unrealistic."

19.28 Councillor Simson asked a further supplementary question; "This question speaks about giving residents a high quality of life. Is the Leader of the Council able to confirm whether the One Brighton, One Planet Living flats at the Brighton Station site which were approved in February 2007 and portrayed as being the way to go in the future meet all the appropriate space and disability access standards?"

19.29 Councillor Mears replied; "Unfortunately, when the Accessible Housing Officer and the Housing Occupational Therapist recently visited the scheme concerns were raised that some of the wheelchair units were not fully wheelchair accessible and some of the flats were very small. It is a shame that this wasn't picked up at the time.

This was discussed with the Planning Case Officer and Planning have referred the issue to the Planning Enforcement Officer. He is looking into the case and will report back to the Planning Officer on likely action. Officers are also checking with planning colleagues on whether there are any other issues with space standards arising from this scheme."

19.30 (f) Councillor Turton asked:

"Can the Cabinet Member for Environment please state what is the total amount of money that has been received between 20th August and 24th September 2009 from Penalty Charge Notices and towed away vehicle recovery fees specifically related to the Conservative Administration's voluntary decision to start the issuing of fines and to tow-away vehicles parked more than 50cms from the kerb, as decided at Environment CMM on 30th July 2009?"

19.31 Councillor Theobald replied:

"Between 20 August and 24 September 228 Penalty Charge Notices were issued to vehicles for being parked more than 50cm away from the pavement, i.e. double parking. So far

£3,850 has been paid towards these PCNs. All PCNs for this offence of double parking were issued after a five minutes observation period.

Eight vehicles have been removed for being double parked during this period and £735 has been paid towards the release of these vehicles.”

19.32 Councillor Turton asked a supplementary question; “Is it Councillor Theobald’s view that the income received will go towards or already has gone towards filling the £47,000 deficit in his parking income budget as set out in the most recent report to Cabinet and will he confirm that the provisions for the enforcement of double parking as set out in the Traffic Management Act 2004 are not statutory duties but are indeed voluntary?”

19.33 Councillor Theobald replied; “Can I just clear up one thing, they are statutory duties. I just want to say a couple of words on this issue because certainly it is not to create money the reason this has been taken upon. I can tell you at the public meeting I went to in the Preston area and your colleagues were present, I was questioned on this and asked how quickly I can bring this in and I also was questioned about this somewhere else on the same issue.

There was a very interesting letter in the ‘Evening Argus’ on 20 August from, I assume, a Fire Officer but actually at great length going on as to his support for this because of the safety in the road and actually I won’t embarrass Councillor Mitchell, because it really was attacking Councillor Mitchell saying, for instance, ‘obviously she has little idea of the life threatening consequences of double parking on impeding fire engines moving around the city on emergency calls’ and this was the whole tenor of the article.

I have to tell you, Councillor Turton, that this is a move that I am quite convinced is welcomed by the vast majority of residents.”

19.34 (g) Councillor Turton asked:

“To ask the Cabinet Member for Housing to confirm when kitchen and/or bathroom refurbishment will commence on the Bristol Estate and why this did not happen in the current financial year despite the assurances of council officers that this would be the case?”

19.35 Councillor Caulfield replied:

“Brighton & Hove is projecting a 9.4% increase in the number of homes that meet the decent homes standard during 2009/10, which will result in 61.5% homes meeting the standard. During 2009/10, over 400 kitchens and 400 bathrooms are being installed across the city as part of an increased £20million capital investment programme.

To avoid raising tenant’s expectations in terms of the proposed kitchens and bathroom installations, the council has always stated that it is the council’s objective to bring its housing stock up to the government’s decent homes standard by 2014.

To achieve this target we are prioritising properties that are outside of the decent homes standard on an annual year by year priority basis. An indicative programme of homes

that need to be prioritised for decent homes work is produced from our asset data. Homes on this indicative programme are individually surveyed and subsequently the decent homes criteria is applied to decide whether a property requires a kitchen and/or a bathroom installed. It is not our intention to renew every kitchen and bathroom but only those that do not meet the overall decent homes replacement criteria.

I can confirm that the decent homes programme of kitchen and bathroom works will begin on the Bristol Estate at the start of the financial year 2010/11 and will if needed continue on an incremental year by year basis through to the 31 March 2013.

Surveying work will commence in February and March 2010, to ensure that we start some of the work in early April.”

19.36 Councillor Turton asked a supplementary question; “Will the Cabinet Member for Housing confirm that the Administration has instructed contractors, including Kier and Mears, to defer health and safety works for six months as per recent press reports and will she confirm and update the council on the current position of the housing revenue budget and the proposed expenditure for the rest of this financial year on responsive repairs, voids, emergency repairs and decent homes work?”

19.37 Councillor Caulfield replied; “In response to your question, I am very distressed at the rumours that are going around this city about works being put on hold or cancelled for the rest of the financial year. I think it is extremely distressing to tenants to hear those sorts of rumours and to see those sorts of reports in local newspapers when it is absolutely not true.

In this financial year our budget for housing repairs is £31m, whereas last year it was only £27½m. We have £14m left to spend in this financial year and we will be spending it and that is to install over 3,000 new doors, decorating the outside of over 200 properties, 900 new boilers, the fitting of bathrooms and kitchens across the city will continue and I am distressed to hear these stories as are tenants. The thing is the tenants will see these works going on so they might hear these stories but when push comes to shove and the doors are being put in, the kitchens are being fitted they will see that these are, in fact, lies.”

19.38 Councillor Wells asked a further supplementary question; “Would the Cabinet Member for Housing agree with me that more money than ever is being invested in the sub-standard homes left by the previous Administration due to the very fact that the previous Administration failed abysmally to invest in our housing stock and I think we all know the reason for that.”

19.39 Councillor Caulfield replied; “I won’t go back to the previous Administration and what they did or actually did not do.

What I can confirm is yes, we are spending more money and we have a thirty year business plan, so while these lies may be about this financial year I can give assurances to tenants that work will be programmed on a thirty year basis. We are not just going to be meeting decent homes standards we will be working, as will be discussed at the Housing Management Consultative Committee in a couple of weeks, to their Brighton & Hove standard which is what is important to them.”

19.40 (h) Councillor Turton asked:

“To ask the Cabinet Member for Culture, Recreation and Tourism what public and staff consultation has taken place over the future of temporary exhibitions and craft related activity at Hove Museum & Art Gallery from September 2010?”

19.41 Councillor Smith replied:

“Questions about temporary and permanent exhibitions are included in the visitor surveys these show craft, toys and local history displays are rated important by visitors and that temporary exhibitions, a desire to see the whole museum, and somewhere to bring children are key motivators for visits.

Funding for the current craft programme lasts till March 2010. We are looking at how we deliver craft activity for the city in different ways as funders have always been keen to see craft activity take place across the division. Two very positive plans are:

- An installation of works by up to 10 at Preston Manor will form part of Open Houses during Brighton Festival. Building on the craft shows held in Preston Manor in 2007 and 2008, this project has received a grant of £30k.
- We have successfully attracted a national award museummaker for a commission for the Royal Pavilion for 2010-11.

At Hove we are developing plans for programming post September 2010 which can be achieved within current resources and in particular looking at how in line with council priorities and national directives for museums we can grow and broaden the family and local community audience and draw on our own collections. There will be consultation on these when they are developed. These programmes may be based on any of our collections including craft and could include exhibitions, events and other activities.

Staff are involved in decision making processes through representation via line management structures at meetings and discussions.”

19.42 Councillor Turton asked a supplementary question; “Will the Cabinet Member inform the council why funding has not been sought for the externally funded post of Curator of Contemporary Craft when current funding expires in March next year and will he guarantee that this Administration intends the temporary exhibition programme will continue independently at Hove Museum & Art Gallery after September 2010?”

19.43 Councillor Smith replied; “Can I give you a written answer to that one so that we have got all the answers together?”

19.44 (i) Councillor Davis asked:

“Prior publicity for the White Air Festival suggested that 20,000 tickets would be on sale for each of the three days and ‘tens of thousands’ more were expected to watch from

outside the festival grounds. Would Councillor Smith share with us his estimate of how many people attended this event and how much it is likely to have contributed to the local economy?"

19.45 Councillor Smith replied:

"Thank you Councillor Davis for your question on the White Air Extreme Sports Festival. The estimate is that 15,000 people actually enjoyed the Festival itself and many more did enjoy the Red Arrows display over the city.

As this was the first time the event was held in the city the organisers were pleased with attendance, even though the numbers were lower than their optimistic forecast. There were 38 different sports available, many involving local clubs which would give the event a good base to develop in future years.

The current economic climate has certainly adversely affected Festival attendances and therefore to move such a large scale event to the city at this time was always going to be a challenge. The benefit to the local economy would have been significant, but without a full economic impact assessment being undertaken it is not possible to identify an actual contribution to the local economy."

19.46 Councillor Davis asked a supplementary question; "Given that the Cabinet agreed a £15,000 cash contribution last December and the council forfeited revenue from parking and from the Volks Railway and bore the costs of the clear-up at the White Air Festival, could the Cabinet Member tell us what agreement he has entered into with the Promoters to ensure the return of the Festival to Brighton for several years ahead and thus guarantee a good return on taxpayers money already spent?"

19.47 Councillor Smith replied; "This is a new question to me, but the same as the last one I will put the answer to you in writing."

19.48 Councillor Duncan asked a further supplementary question; "The White Air Festival was a splendid event enjoyed by many residents of this city and beyond and Queen's Park Ward in which it took place.

Can Councillor Smith confirm whether or not he agrees that residents of the Kemp Town seafront area and the Queen's Park Ward should be entitled to receive any sort of reduction on the fairly steep ticket price to compensate them for the loss of amenities that they suffered during this excellent event?"

19.49 Councillor Smith replied; "I don't believe there is a loss of amenities. It gives lots more things for those residents to see in this city and without these events and the income that comes through a hell of a lot of the residents of the city in that area would not have jobs in the city and they would not have the restaurants and all the other facilities that are there for their use. That is what makes us one of the top cities in this country."

19.50 (j) Councillor Fallon-Khan asked:

“Now that Councillor Duncan is the council’s sole representative on the Sussex Police Authority, will he give a commitment to report back to Cabinet on a regular basis on how his work is benefiting the residents of Brighton & Hove?”

19.51 Councillor Duncan replied:

“Firstly, I thank Councillor Fallon-Khan for this opportunity to highlight some of the work I have been doing on behalf of the city’s residents as a member of Sussex Police Authority, on which I hold ‘lead member’ status on reducing alcohol-related harm, environmentally sustainable policing, and the independent custody visiting scheme, which seeks to maintain high standards in police detention. As well as promoting work in these three areas, I have successfully introduced budgetary amendments that have seen more police officers and PCSOs on our streets and in our communities, I have worked to strengthen the way neighbourhood policing is delivered across Brighton and Hove, championed community engagement and overseen the move towards more police engagement with community groups, and the strengthening of the city’s Local Action Teams, and I have sought to improve facilities for victims of crime, particularly domestic violence and sexual offences.

With the permission of the Mayor and Chief Executive, I’d be delighted to provide regular updates at future Full Council meetings, as this council’s sole representative on the Sussex Police Authority – but I represent the whole council and all residents of the city rather than the Administration so I don’t think reports to Cabinet would be appropriate.

Meanwhile, I’ll be delighted to keep all Members informed of my work at the SPA through the existing channels of the Community Safety Forum and, where appropriate, the Environment and Community Safety Overview and Scrutiny Committee.”

19.52 Councillor Fallon-Khan asked a supplementary question; “I would like to congratulate Councillor Duncan on his response and achieving the bare minimum that a representative of this council should be achieving with the Sussex Police Authority, very disappointed that he is not prepared to either come to Cabinet or Full Council where you have all four party political leaders, you also have the general public and you have the webcast.

How can Councillor Duncan justify his position on the Sussex Police Authority when he styles himself and champions himself embarrassingly as a ‘cop watcher’; when he disagrees with the police who believe that the imprisonment of benefit fraudsters who systematically steal up to £650,000 of taxpayers’ money per year and that is just the detected amount; and that he has promoted and advertised the ‘Smash EDO’ riots on his website which has cost the taxpayer up to £300,000 in extra policing money: perhaps he ought to be compensating that back to the community? How can the Greens justify his selection? It’s perplexing, it’s strange, it’s perverse. How can they have the ‘cop watching communist’ from Kemp Town as our sole representative of this great city on that very respectable Police Authority?”

19.53 Councillor Duncan replied; “I will provide as brief an answer as I can because there were a lot of questions there.

The first was the point that Councillor Fallon-Khan was disappointed that I wouldn't report back to Council. I can only refer him to my original answer which his supplementary suggested he didn't actually read. It does say: 'Meanwhile, I'll be delighted to keep all Members informed of my work at the SPA through the existing channels of the Community Safety Forum. It also says: 'With the permission of the Mayor and the Chief Executive, welcome to your first meeting, I'd be delighted to provide regular updates at future Full Council meetings', and, of course, I would. With your permission, as I say, I would be delighted to do so.

He raises a number of points, the first of which was how can I justify being on that Body and the answer is very simple: democratically and because the law requires that this council sends a representative based on political proportionality to sit on the Sussex Police Authority. It also requires that that Body has the requisite number of Members from all the political parties represented at Brighton & Hove City Council, East Sussex County Council and West Sussex County Council. That does entitle the Green Party, not the Communist Party, but the Green Party to sit on that Body and it does entitle a Green Party Councillor from somewhere in Sussex and Brighton & Hove to sit on that, that's myself and that's the justification.

You have made a number of other points, I am not going to bore this Chamber answering them all, although I could do and I would do with your permission. One could speak all night about the achievements of the Police Authority and I am happy to do so but we would be likely to be here very late this evening. Members probably would rather that I shut up than spout for hours but I will with your permission.

If you don't want me to speak for hours I will just say that 'cop watcher' is a word that you used a few times and my understanding is that 'cop watcher' is exactly the role of a Police Authority Member. In the words of the Chief Executive of the Police Authority, to be a critical friend is to watch what the police do, 'cop' is another word for police and is not a derogatory term. Indeed I enjoy frequent conversations with police officers serving this city who refer to themselves as 'cops'. I can't really see how the term 'cop watcher' in itself would suggest anything else other than that I am doing the job which is required by law of a representative and a member of the SPA."

19.54 Councillor Simson asked a further supplementary question; "Councillor Duncan does assure us in his written answer to this question that he will be delighted to keep all Members informed, so I wonder if he could tell us now, and why he didn't take the same opportunity within his written answer, to tell us that for the first time this city has now been allocated a dedicated officer link from the Sussex Police Authority to work with us?"

19.55 Councillor Duncan replied; "I would be happy to provide a written answer with the details of that but I think that the short answer is that there are a number of partnership bodies between this council and the Sussex Police, including the Crime and Disorder Reduction Partnership, the Public Service Board, the LSP, the Community 20:20 Partnership. All of those bodies have representatives from the police and Graham Barton, the Chief Superintendent, a good friend of mine, is someone who very much appreciates the support that I am able to give him in the Brighton & Hove Policing Division and he represents the police on some of those bodies. I will be taking up a place to represent the authority on some of those others.

In future I think that there is going to be no doubt that those links will be stronger than they have been in the past. I accept that in the past there have been weaknesses, particularly before I was the sole representative of this council on the Police Authority and I have been working very hard to strengthen those links.”

19.56 **(k)** Councillor Caulfield asked:

“Could Councillor Mitchell please explain to Council why the Commission which she chairs did not feel that it was in the best interests of the residents of East Brighton to scrutinise the financial arrangements and public accountability of EB4U and the East Brighton Trust, organisations which have been funded solely from taxpayers’ money?”

19.57 Councillor Mitchell replied:

“As Councillor Caulfield will be aware decisions regarding topics for scrutiny are made by Committees as a whole and not by Committee Chairs.

Following her letter requesting a scrutiny review of EB4U and the East Brighton Trust the Overview and Scrutiny Commission conducted a thorough and full debate as to whether this was an appropriate use of Member and officer time and resources.

It is the role of scrutiny committees to prioritise in-depth scrutiny panel work to ensure that the topics with clear and worthwhile outcomes are the ones that are taken forward and reviewed.

In the case of EB4U there were a number of factors that meant the Commission did not feel able to support Councillor Caulfield’s request.

- There has already been scrutiny of the EB4U programme, Chaired by Councillor Young and reporting in 2005;
- EB4U was a Government funded initiative and therefore the Council has had limited influence over its management;
- The Commission felt that there was not enough factual evidence presented to it by Councillor Caulfield to support her request.

Additionally I would say the door was left open to Councillor Caulfield to provide further evidence regarding local residents’ dissatisfaction with the project and the Commission would then consider again looking at the issue. I am not aware however that this further information has been forthcoming.”

19.58 Councillor Caulfield asked a supplementary question; “Would Councillor Mitchell agree that the £47m of taxpayers’ money that was given to EB4U was a huge amount and in the spirit of openness and transparency that we could have an updated Scrutiny report to see how that money was spent, what projects it supported and what lessons could be learnt for any future investment in this city of that amount as was actually suggested in the original Scrutiny report in 2005?”

19.59 Councillor Mitchell replied; "I am afraid that I must refer Councillor Caulfield back to my written answer to her question because while she may want to put that question to me this afternoon in this Council Chamber, I am Chair of a Commission and it was the Commission that collectively voted not to take forward a Scrutiny of EB4U and I have to say that would be a second Scrutiny of EB4U.

I am sure she would agree with me that taxpayers also expect value for their money in terms of our scrutiny process and would not want to see duplication and would not want to see undue delay in prioritising the very many other worthwhile scrutiny topics that are now being taken forward.

The Commission was very clear in leaving the door open to Councillor Caulfield to come back if she had any factual evidence to back up her request and so far that has not been forthcoming."

19.60 Councillor Morgan asked a further supplementary question; "Will Councillor Mitchell agree that this query does bring party politics into the scrutiny process and can she confirm that she like myself, Councillors Turton, Marsh and Meadows has had no letters, emails or phone calls from residents asking for any further enquiries into EB4U?"

19.61 Councillor Mitchell replied; "I can certainly confirm that I personally have not received any letters raising queries in this regard in relation to EB4U neither have I had any such letters passed to me from any other Member of this Council."

19.62 (I) Councillor West asked:

"Following the lively and poignant events of car-free day, Councillor Theobald remarked in the Argus that his Administration's transport policy is "all about offering choice of forms of transport to make it as easy as possible for people to get around the city." What exactly does he mean by this: to make it easier for people to choose to drive into the city centre?

19.63 Councillor Theobald replied:

"In the quote in The Argus I used the phrase 'choice of forms of transport' and my statement was quite self-explanatory. I did not mention any specific form of transport because I meant what I said: it's about choices and opportunities for all our residents, workers and visitors, using all forms of transport."

19.64 Councillor West asked a supplementary question; "In your answer you say that 'it's about choices and opportunities for all our residents, workers and visitors, using all forms of transport'. How does that statement offer support for bringing about a modal shift away from car use and what hope and choice does that offer for pedestrians and cyclists wishing to travel safely and breathe clean air?"

19.65 Councillor Theobald replied; "Well, it's my view that there should be choice. I mean Councillor West you drive a 4x4 vehicle, it's your choice to drive that vehicle if you wish. I am a realist and other people drive vehicles of that nature, I can't stop them.

To make this city a successful city which welcomes people who come here you have to offer a choice. People if they wish to come by train should be encouraged to come by train. If they wish to use our public transport and goodness only knows how many use it, something like 40 million people, journeys on a bus, then we welcome that and we have made every facility. If you wish to cycle then again there is that opportunity to do that. If you wish to drive a motor car there is the opportunity to do that. That is what choice is all about.

If Councillor West we took your green policies: if they became our policies this would become a 'no go' city quite frankly. People just would not be coming here and the traders, people who have to do business here, who sell goods, some of those are heavy goods and need to be transported back to people's homes, people would just drive straight to Crawley, Tunbridge Wells or other places. I say again the question is choice.

If you live like I do, where I am a bus comes past every 15 minutes and if I go to the town centre I take a bus. I saw Councillor Allen on a bus yesterday. My children probably cycle when they are down but my neighbours might wish to use a motor car and if they are spending good money in the city then that is something which must be to the good. I repeat again it is a question of choice and I encourage choice."

19.66 Councillor Allen asked a further supplementary question; "I was wondering whether Councillor Theobald, whom I met on the 27 yesterday evening, would accept my congratulations for his use of public transport."

19.67 Councillor Theobald replied; "It just happens to be the most convenient method for where I was going to. On another occasion if there isn't a direct bus route I would use another form of transport. I make that choice, I ask myself, I make a choice and I use one or the other."

19.68 (m) Councillor West asked:

"For residents living around Preston Circus, Lewes Road and elsewhere, where air pollution from vehicle exhaust is at dangerous levels, what choice does Councillor Theobald offer them to breathe more easily?"

19.69 Councillor Theobald replied:

"Our Air Quality Action Plan which is an integral part of the Local Transport Plan and is a statutory requirement of the Environment Act, sets out measures that will assist in overcoming such problems."

19.70 Councillor West asked a supplementary question; "I don't think residents will take much solace from the written answer Councillor Theobald has given or for that matter the verbal one he just gave to the previous question.

What I would like to ask him on this question is: how does the recent planning decision to refuse a planning application for a residential development in Lewes Road because of poor air quality fit with the workings of the Air Quality Action Plan Councillor Theobald hides behind in his thin answer to this written question?"

19.71 Councillor Theobald replied; “I do not sit, fortunately may I say, on the Planning Committee and I do congratulate Members who do as it’s a very time consuming process and I am grateful to them all. I am told by the Chairman there that that was one reason and as I say it is very difficult for me to comment because I wasn’t there and I don’t serve on the Committee.”

19.72 (n) Councillor West asked:

“The Lewes Road for Clean Air Campaign have measured that nearly 75% of vehicles using Lewes Road are private cars and of those 60% are carrying just one driver. What will Councillor Theobald do to promote car sharing or to persuade people travelling alone to make their journey by sustainable alternatives? Will he seek to introduce a comprehensive rapid transit network around the city?”

19.73 Councillor Theobald replied:

“Thank you for this and the previous question connected to the Lewes Road Clean Air Campaign’s survey of cars, specifically in the Lewes Road. Car sharing is one of many options that the council promotes in its work with businesses and schools to encourage different ways of travelling for certain journeys. Car sharing may not be convenient for everybody, but if people are aware of it then they may try it.

And it does work - by working together with the council, 25% of the Lloyds TSB workforce at City Park have signed up to Liftshare.com - a popular car sharing scheme. The council’s own Staff Travel Plan also includes car sharing and there is a car share section on the JourneyOn website.

We also work with schools to encourage car sharing – it can work regularly for staff or be arranged more informally by parents helping one another out, provided of course that child seats are fitted and secured correctly. And over the past year, car use has decreased slightly for journeys to Brighton and Hove’s schools.

Turning to public transport, you will know that we have an excellent network of buses in the city which currently carries around 40 million passengers per year, and some routes operate at very high frequencies. I use them whenever I can.

There are no plans for a rapid transport network around the city unless you mean the Rapid Transport System (known as RTS but now referred to as the Coastal Transport System [CTS]). This will initially provide an additional east-west public transport link between the Marina, Brighton Station, Shoreham and Worthing.”

19.74 Councillor West asked a supplementary question; “I am encouraged that Councillor Theobald says that he uses the buses and we have evidence from Councillor Allen that that is, in fact, a fact and I am sure this will be lessening the chances of him being embarrassed parking his Jaguar.

As a bus user he will now also realize the time it takes to travel from his Patcham Ward to this Town Hall and that a rapid transit system across the whole city would indeed lead to an uptake in bus travel amongst suburban dwellers.

The Lewes Road for Clean Air Campaign and Triangle Community have asked me to ask this question of him. Will Councillor Theobald be bringing forward plans for Park and Ride and will a corresponding number of parking spaces be removed permanently from city centre parking?"

19.75 Councillor Theobald replied; "We are currently working up proposals for Park and Ride.

I can't comment on the question of parking spaces but it might just interest you, because when I looked at this question I actually thought you might have asked me something else but you didn't. I have to try and weigh up what you are going to ask me as your second questions.

I did have a very interesting meeting this morning with two Town Councillors from the Wealden area and Brian Hart from the Lewes to Uckfield line because, as this Council knows, in particular I am very, very sympathetic to the restoration of that line and I met with them today to talk over what we can do.

This Council has twice now expressed the united wish to support this but I was just thinking, reading your question, the number of people driving in from Crowborough, Tunbridge Wells, Uckfield and presumably they would carry on down the Lewes Road. If only we could get that link put back again they could then use the train and certainly I will do everything I possibly can: it might not be very much because we are not within the area of Lewes to Uckfield but will try and help to get that route resurrected. I will even talk to our new Chief Executive to see, you know, whether he has got any ideas as to how we can try and do that but I think that is one single thing that would help very much residents living along the Lewes Road."

19.76 (o) Councillor Duncan asked:

"Is the Cabinet Member responsible for public lavatories aware that the closure of the public lavatory adjacent to St Mary's Church on Upper St James's Street has left many vulnerable and older residents of the Queen's Park Ward unable to visit the businesses, services and leisure facilities offered in the St James's Street area?"

19.77 Councillor Theobald replied:

"The site at Upper Rock Gardens previously contained automatic public toilets which were supplied and maintained by a private company (Healthmatic Limited). The contract for this unit came to an end in September 2008 and the company therefore removed their property in November last year.

The unit was prone to misuse and anti-social behaviour on a regular basis which often resulted in the units being shut down for maintenance. Since its removal only one enquiry regarding its closure has been received.

We are currently investigating the feasibility of offering this site for commercial use with the aim of the incoming tenant taking over operation and maintenance of a single disabled accessible unit, to be available to the general public during business hours.

We also run a community toilet scheme called “You’re Welcome” which encourages local businesses to let the public use their facilities without making a purchase. We are actively seeking participation in the Kemp Town area; however, there are alternative public toilets available at Queen’s Park or on Madeira Drive.”

- 19.78 Councillor Duncan asked a supplementary question; “Thank you for your answer which clearly illustrates the inadequacy of public toilet provision for the many vulnerable and older residents living in the Eastern Road and Kemp Town areas seeking to use the businesses and services in the St James’s Street area.

Do you feel this council’s failure to offer businesses any form of financial compensation for opening their facilities to public use in contrast to the approach of many other local authorities has contributed to the tiny numbers of businesses taking part in the ‘You’re Welcome’ scheme?”

- 19.79 Councillor Theobald replied; “No. I have to tell you, because you don’t like my short answers so I am going to add just something. Bear in mind that we have been in Administration for two years and during those two years we have opened two new toilets. We have inherited the situation that we find ourselves in.”

- 19.80 Councillor Norman asked a further supplementary question; “Councillor Theobald will be aware of the new ‘changing places’ toilet on Madeira Drive which is for people with multiple disabilities that opened on 30 September. Does he share my ambition to see further ‘changing places’ added to the city’s toilet facilities for the very vulnerable members of our society?”

- 19.81 Councillor Theobald replied; “Yes, very much so and actually that toilet isn’t so very far away from the area you were just talking about Councillor Duncan.”

- 19.82 (p) Councillor Duncan asked:

“Does the Cabinet Member share my gratitude for the work of the seafront staff and lifeguards, and desire to see sea swimming promoted as a healthy and free sporting and leisure opportunity?”

- 19.83 Councillor Smith replied:

“Thank you Councillor Duncan for your question. I also do appreciate the valuable work undertaken by the seafront staff including the lifeguards. Our extremely busy seafront, particularly over the summer period leads to the team dealing with an array of incidents as they work hard to keep the seafront safe for residents and visitors. In the last financial year the team dealt with 3,168 incidents from minor first aid to sea rescues.

I agree that swimming is a very positive activity, but the provision of the free swimming programme (over 10,000: 16 and unders, over 3000: 60+ registered) encourages the

development of swimming skills in the safer indoor environment than the sea. This complements the learn to swim programmes available at the city's pools. Therefore, the promotion of swimming development is targeted at giving people the opportunity to develop their skills in indoor pools, so that they can use their skills to swim in the sea safely as they wish."

19.84 Councillor Duncan asked a supplementary question; "Would you agree that the scaling down of lifeguard services at the end of August increases the risk of a tragic accident befalling a resident or tourist enjoying the warmest sea and sunny weather so prevalent in September and as such sent out a clear message that this Administration cares more about using our seafront as a backdrop to major developments than encouraging and promoting a free healthy swimming activity?"

19.85 Councillor Smith replied; "Can I say to start with that is a regular summer season that has always been there but may I go more into the subject. When it was Brighthelmstone it was Dr Russell and Martha Gunn who promoted this city, which it is now, - swimming was very important and that's what made us in the beginning. We have always done that.

When I was younger, I think all of you when you were students may have been lifeguards. Yes, I had a commendation because I went out to sea and saved someone from drowning there and we all do it.

What we are doing with our programme for the 16 and unders and the over 60s free swimming in the city. We want everybody to swim. We want them to be more active and more sporting and if that means more people going into our sea we agree with it. Regarding our summer season we have got a special season because if you look when we did the season across all the different buoys and zones it was up to a certain time people couldn't use the beaches because it was purely for swimming but after that date you could take your dogs for a walk along them and anything else.

As far as I am concerned, as a city we are doing fantastic things for our other sea sports. Our lifeguards and staff are fantastic and you have seen it on this programme on Channel 5 how good they are for the city and that publicity on Channel 5 for ten weeks would probably have cost us £10m if we had asked for that publicity."

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

Callover

20.1 The Mayor noted that she had been informed of the wish to debate all three reports listed on the agenda and therefore called item No's 21, 22 and 23 for discussion.

(b) Receipt and/or Approval of Reports

20.2 The Chief Executive noted that all three reports had been called.

(c) Oral Questions from Members

20.3 The Mayor noted that there were no oral questions.

21. REVIEW OF COMMITTEE ALLOCATIONS

- 21.1 Councillor Oxley formally moved the report and the recommendations relating to the proposed changes to the membership of the committees in question to take account of the change in the political balance of the council following the recent Goldsmid by-election.
- 21.2 The Mayor noted that the Green Group had submitted an amendment to the recommendations and called on Councillor Randall to move the amendment.
- 21.3 Councillor Randall formerly moved the amendment and stated that the Green Group felt that there was a need to recognise the change in the overall composition of the council. As such it was proposed that the Chairs and Deputy Chairs of the Overview & Scrutiny Committees should be allocated on an equal basis between the three main political groups, giving each group 2 Chairs' and 2 Deputy Chairs' positions. He stated that in having to specify the respective Chair and Deputy Chair posts that should be allocated to the Green Group; there was no reflection on the current post holders. He also suggested that it would be helpful to take each proposal separately.
- 21.4 Councillor Taylor formerly seconded the proposed amendment.
- 21.5 Councillor Mitchell stated that the Labour Group recognised the need to take account of the change in proportionality and therefore the overall allocation of seats to each group. However, it was felt that the appointment of Chairs and Deputy Chairs was something for Annual Council and therefore should not be altered until the next annual council meeting in May 2010.
- 21.6 Councillor Elgood stated that whilst the Liberal Democrat Group shared the frustration of the Green Group, having not been consulted on the matter they could not support the report's recommendations or the proposed amendment at this time. He suggested that the report should be re-examined and brought back to the next council meeting.
- 21.7 Councillor Taylor stated that over the last 10 years the council, its Chief Executive's, Leadership and Administration had faced various changes which the council had not shrunk away from. However, it appeared that the need for change following the result of the by-election was being delayed.
- 21.8 Councillor Randall stated that he found it to be disappointing that the two other parties were willing to work against the democratic will of the electorate.
- 21.9 Councillor Oxley noted the comments and stated that the appropriate action was being taken to reflect the change in the political balance of the council and committee membership altered to account for political proportionality. There was no requirement under the proportionality regulations for the allocation of Chairs and Deputy Chairs and it was felt that this should be addressed at Annual Council in the usual way.

- 21.10 The Mayor noted that an amendment to the recommendations contained in the report had been moved and put the amendment to the vote which was lost.
- 21.11 The Mayor then put the recommendations contained in the report of the Chief Executive to the vote which was carried.
- 21.12 **RESOLVED** – That the revised memberships of the Council's Licensing and Health Overview & Scrutiny Committees be agreed as follows:
- (a) Licensing Committee on the basis of 7 Conservative, 3 Labour, 4 Green and 1 Liberal Democrat Member; and
 - (b) Health Overview & Scrutiny Committee on the basis of 3 Conservative, 2 Labour and 3 Green Members.

Note: Councillors Elgood and Watkins wished their names recorded as having voted against the above recommendations.

22. E PETITIONS

- 22.1 Councillor Oxley introduced the report and formerly moved the recommendations. He welcomed the proposal to enable the submission of E petitions through the council's website and hoped that it would provide another avenue for public involvement in the democratic process.
- 22.2 Members of the council welcomed the report and the intention to develop alternative mechanisms for public involvement. It was also felt that the request made at the Governance Committee for Ward Members to be informed of any e petitions and their consideration at an appropriate meeting should be incorporated into the working practices for the management of e petitions.
- 22.3 Councillor Oxley noted that it was intended to review the process at the March Governance Committee meeting, as it was anticipated that government guidance would be issued following the enactment of the Local Democracy, Economic Development and Construction Bill that was currently before Parliament, which placed a requirement on all local authorities to offer such a facility. He hoped that by having the pilot project, lessons would be learnt and any changes incorporated in line with the guidance that would be forthcoming.
- 22.4 The Mayor noted that the recommendations had been moved and put them to the vote which was carried.
- 22.5 **RESOLVED:**
- (1) That the launch of an e-petitions facility with effect from 21 November 2009 for Brighton & Hove City Council for a trial period be approved, and a further report on the outcome of the pilot be brought to Governance Committee on 9 March 2010;

- (2) That it be noted the pilot period would be shorter if the provisions relating to e-petitions in the Local Democracy Economic Development and Construction Bill come into force prior to the review date;
- (3) That the e-petitions guidance attached at Appendix One to the report be agreed;
- (4) That the Head of Law be authorised to take all steps necessary to implement the e-petitions facility, including making any necessary amendments to the Council's Constitution.

23. DUAL DIAGNOSIS: OVERVIEW & SCRUTINY REPORT

- 23.1 Councillor Watkins introduced the report and stated that he believed it was one of the most important reports to come before the council for sometime. He felt that the Scrutiny Panel had been able to highlight the excellent work being undertaken by a number of organisations but which was not necessarily as well co-ordinated as it could be and therefore did not always meet the needs of those individuals who were in need of help. He hoped that the recommendations outlined in the report would be taken forward and wished to thank the officers involved in supporting the Scrutiny Panel for their time and efforts. He also noted that there was a seminar taking place on the 12th October on the issue of substance misuse, mental health and dual diagnosis and suggested that the Panel's report should be forwarded to the organisers for circulation as it covered a number of aspects to be raised at the seminar.
- 23.2 Councillor Ken Norman stated that he wished to thank Councillor Wrighton for requesting the review and the Members of the Panel together with the officers for their work in producing an excellent report. He noted that the Cabinet had fully supported the recommendations and hoped that they would be implemented in due course.
- 23.3 Councillor Wrighton stated that she was delighted with the outcome of the review and believed it was an excellent example of the importance and role of scrutiny. She also wished to thank the Panel Members and the officers involved and supported the suggestion that the report should be brought to the attention of the seminar organisers.
- 23.4 Members welcomed the report and offered their congratulations to all involved in the review and the production of the report. They also felt that it would be beneficial if officers could contact the seminar organisers and highlight the findings of the review panel and offer to make the report available to them.
- 23.5 Councillor Norman stated that he would contact the PCT and attempt to find out more about the seminar and whether the report could be circulated for information.
- 23.6 Councillor Watkins noted the comments and thanked all Members for their support. He reiterated the importance of the recommendations and hoped that they would be taken forward.
- 23.7 The Mayor noted that report had been presented to council for information and sought confirmation from the council that it be noted.

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

24. NOTICES OF MOTION.

(a) Inclusive Transport Planning – A City-wide Transport Forum for Brighton and Hove

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

24.2 Councillor Mears moved an amendment, seconded by Councillor Theobald, which was accepted by Councillor Mitchell.

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

“Strategic and sustainable transport plans are of vital importance to Brighton and Hove and its surrounding region. Successful, integrated transport plans should support and enhance all of the city’s key priorities in terms of improving our urban environment, boosting the local economy and reducing the city’s carbon footprint.

The main policy driver for the city’s current Sustainable Transport Strategy is the 2007/2011 Local Transport Plan (LTP 2) and work on LTP 3 has already begun.

It has become clear that rather than being restricted to only being able to feed-in comments relating to transport issues on separate policy documents, in what can be a rather ad-hoc manner often only relating to individual areas of the city, there is a strong desire for a more formalised, on-going dialogue on strategic transport planning issues between the council, its partner organisations, user groups, councillors and other stakeholders. The start of the formation of Local Transport Plan 3 would seem an ideal time to formalise such a dialogue.

This council therefore welcomes the decision taken at the last meeting of the Brighton & Hove Local Strategic Partnership (with the full backing of the Administration) to establish a city-wide transport partnership chaired by the Cabinet Member for Environment.”

24.4 **The motion was carried.**

(b) Support and Guidance for the Deafblind in Brighton and Hove.

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

24.6 Councillor Norman moved an amendment, seconded by Councillor Pidgeon, which was accepted by Councillor Lepper.

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

“Whilst there is no generally accepted definition of deafblindness there is a working description that has been accepted over many years; ‘persons are regarded as deafblind if their combined sight and hearing impairment cause difficulties with communication, access to information and mobility’. Deafblindness is a visual and hearing impairment. These impairments can be of any type or degree and are sometimes called multi-sensory impairments (MSI). There are many different causes of MSI. Most people who are multi-sensory impaired have some useful vision and/or hearing.

This Council welcomes the Department of Health’s Social Care for Deafblind Children and Adults – LAC (DH) 2009 6 circular. The implementation of this guidance will have a positive impact upon the level of support that deafblind people in the City receive.

The improved deafblind guidance expects this Council to carry out the following:

- Identify, make contact with and keep records of deafblind people in the City
- Ensure that assessments are carried out by properly trained personnel
- Ensure that appropriate services are provided for deafblind people- remembering that individual services who are deaf or who are blind, may not be appropriate for someone who is both deaf and blind
- Ensure that all deafblind people in the City have access to fully trained, one-to-one support workers if necessary
- Provide information in a suitable format which is accessible to deafblind people

The Council therefore requests that the Cabinet Member for Adult Social Care & Health considers the guidance contained in the circular and how it could best be implemented to suit the particular local circumstances in Brighton & Hove.”

24.8 The motion was carried.

(c) 10:10 Campaign

(d) 10:10 Carbon Management

24.9 The Mayor noted that the two Notices of Motion listed as items 24(c) and 24(d) on the agenda referred to the same issue and as such stated that she proposed to take both motions under the one debate. However, she would then take a vote on each motion separately.

24.10 The Notice of Motion 24(c) as detailed in the agenda was proposed by Councillor Phillips and seconded by Councillor Randall.

24.11 The Mayor congratulated Councillor Phillips on her maiden speech.

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

“This council notes that 10:10 is a mass movement that has seen people and organisations from across the country sign up to reduce their carbon emissions by 10 per cent in 2010. From councils and hospitals to faith groups, scout troops and national

newspapers, organisations across the UK have joined what it commonly being seen as the start of the journey to a low-carbon society.

Leaders of the national Green, Liberal Democrat, Labour and Conservative parties have all committed to 10:10. Councils from across the political spectrum including Greenwich, Hackney, Islington, Richmond, Oxford, Slough, West Sussex, Stroud, Eastleigh, Kirklees have also signed up.

This council notes that:

- Cutting global carbon emissions is vital if we are to stave off runaway climate change.
- The Lancet earlier this year published a report warning that climate change is the biggest threat to global health of the 21st century.
- There are compelling business reasons for joining the 10:10 campaign, not least that cutting our spending on energy is one way to reduce costs and increase efficiency.
- The importance of the outcome of the Climate Change talks in Copenhagen in December this year cannot be overstated, and early commitment to the 10:10 Campaign has the potential to influence those talks to make urgent cuts in global emissions a reality.

Therefore this council requests the Cabinet to consider the possibilities of Brighton & Hove City Council signing up to the 10:10 campaign.”

24.13 The motion was carried.

24.14 The Notice of Motion 24(d) as detailed in the agenda was proposed by Councillor Fallon-Khan and seconded by Councillor Janio.

24.15 Councillor Steedman moved an amendment, seconded by Councillor Phillips, which was put to the vote by the Mayor and lost.

24.16 The Mayor then put the following Notice of Motion the vote:

“This Council recognises the progress that has been made in recent years to reduce the Council’s and City’s carbon emissions and on wider sustainability initiatives. In particular:

- Launching a £6 million energy efficiency grant scheme over three years to help householders cut costs and carbon emissions
- Committing to installing a network of electric car charging points in the city
- Running a successful Carbon Management Programme, saving more than £50,000 to date in energy efficiency measures, with more to follow
- Committing the council and the city to tough, short-term targets to cut carbon dioxide emissions – by 12% over three years
- Helping secure £180,000 from the Department for International Development for Climate Connections, a three year city-wide public engagement project

- Committing to introduce a network of park and rides sites at key strategic locations in the City
- Launching an impressive bid at an internationally-recognised conference to become the world's first Urban Biosphere
- Playing an integral part in helping the city's Food Partnership secure a grant of £500,000 over four years
- Launching a major Be Local Buy Local campaign to support local jobs and the environment.

This Council welcomes the national 10:10 campaign to persuade every sector of British society to work together to achieve a 10% cut in their carbon emissions in 2010. The 10:10 campaign is receiving growing support from a wide range of organisations in the public, private and voluntary sectors as well as from individuals and households.

Therefore, as part of its continuing drive towards achieving a low carbon Brighton & Hove, this Council resolves to:

- Call on the Cabinet, as soon as possible, to sign up to the 10:10 campaign to reduce the City Council's carbon emissions by 10% in 2010/11.
- Request that the Cabinet considers calling for a report to be brought to the meeting of the Sustainability Cabinet Committee in January 2010 outlining the measures which will be taken to attempt to achieve this ambitious goal."

24.17 **The motion was carried.**

(e) Unveiling of the Brighton and Hove Aids Memorial

24.18 The Notice of Motion as detailed in the agenda was proposed by Councillor Elgood and seconded by Councillor Watkins.

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

"This council welcomes the unveiling of the Brighton and Hove AIDS Memorial in the New Steine, which marks the devastating impact of AIDS and HIV to many people in Brighton and Hove.

It notes:

- That the memorial is a stunning piece of public art by local artist Romany Mark Bruce and was entirely funded by public donations, at no cost to the taxpayer.
- That the importance to all residents of Brighton and Hove of ensuring accessible support and healthcare for residents with HIV and AIDS. Furthermore, it welcomes the ongoing health education and promotion work undertaken in the city, especially that by the voluntary sector.
- That HIV and AIDS crosses all boundaries and all groups of people, and the dedication of the memorial aims to reflect this.

The council therefore applauds all the effort in securing the acquisition of the memorial and thanks the artist and all individuals who supported the memorial through their donations.”

24.20 The motion was carried.

(f) Reduce the Default Speed Limit in Built-up Areas from 30 to 20mph

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

24.22 Councillor Theobald moved an amendment, seconded by Councillor Barnett, which was withdrawn by Councillor Theobald following the debate and prior to any voting.

24.23 Councillor Hamilton moved an amendment, seconded by Councillor Davis which was accepted by Councillor Davey.

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

“This council is deeply concerned that:

1. 141 people were killed or seriously injured on roads in the city in 2008-9 (NI047)
2. 13 of these were children (NI048)

And that these casualty figures particularly those for children, whilst falling, are still far too high. Also that the relevant performance indicators for both of these figures have until recently been at red.

This council recognises that:

1. The most effective measure that can be taken to lower the number of serious road casualties is to reduce traffic speed [1]
2. That many towns and cities across the country have already decided to set speed limits at 20mph across large urban areas. These include: Glasgow, Portsmouth, Leicester, Norwich and Bristol.
3. That campaigning organisations such as Living Streets are calling on local Authorities across the country to do likewise.
4. Many residents and community groups throughout the city have called for traffic speed reductions on their local roads.

This council is also aware that additional benefits of reduced traffic speed include:

1. Reduced emissions and improved traffic flow – as proven by research in Germany where 30kph (19mph) speed limits have long been commonplace. [2]
2. Improved sociability - recent research in Bristol found that relationships between residents increased and improved on streets with lower traffic speed. [3].
3. Safer conditions for walking and cycling.

This council supports the principle of implementing 20mph speed limits in residential areas of Brighton & Hove wherever feasible.

It therefore requests Cabinet to consider referring this issue to ECSOSC with a view to the setting up of a Scrutiny Panel to undertake a detailed study and examination, that the Panel reports back as soon as possible and that its report forms the basis of a Cabinet report that will look at the viability of rolling out a programme of 20mph speed limits in suitable areas across the city.

In addition this council requests that the Cabinet Member for Environment gives consideration to the inclusion of the Scrutiny Panel's report within the council's submission to the Department of Transport's 'Delivering a Sustainable Transport Strategy' programme where the south coast is being prioritised as a key priority area for sustainable transport planning that will include accident reduction."

24.25 **The motion was carried.**

Notes

- [1] someone struck by a car at 35mph has a 50% chance of survival. At 20mph this increase to 97%. www.rospa.com/roadsafety/advice/driving/speed_policy.htm
- [2] Dr Carmen Hass-Klau. An illustrated Guide to Traffic Calming p3.
- [3] Joshua Hart (2008). Driven to Excess. www.driventoexcess.org
- [4] As defined in the Road Traffic Regulation Act (1984) as streets with streetlamps no more than 183 metres apart.

(g) Action on Drugs Harm

24.26 The Notice of Motion as detailed in the agenda was proposed by Councillor Wrighton and seconded by Councillor Taylor.

24.27 Councillor Turton moved an amendment, seconded by Councillor Allen, which was accepted by Councillor Wrighton.

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

"This Council Notes:

1. Brighton and Hove is once again Drugs Death Capital of the UK
2. 44 people died in the City as a result of drugs in 2008, ranking it above London, Manchester and Birmingham
3. This is the 6th time in 8 years the City has topped the list after falling to second place in 2006 and 2007.
4. Brighton and Hove has around 2,300 injecting heroin addicts, who are particularly at risk.
5. The majority of deaths in Brighton and Hove, compiled from coroners' reports, were from heroin but there were also 5 from cocaine and 2 from ecstasy

6. The partial contribution of dangerously strong street heroin to drugs deaths in 2008
7. National research suggests that between one half and two thirds of all crime in the UK is drug-related and three quarters of crack and heroin users claim they commit crime to feed their habit
8. The personal, social and public costs of drugs harm to the City,
9. The value of City frontline workers who assist people in accessing existing services and tackle street dealing.

It notes furthermore, that:

1. The recently published results of a national drugs treatment trial in Brighton and Hove, London and Darlington called RIOTT (Randomised Injecting Opioid Treatment) which gave heroin to injecting addicts in supervised clinics, along with psychological support and help with their housing and social needs, showed that in the study areas:
 - a) Three quarters 'substantially' reduced their use of street heroin
 - b) More than half were 'largely abstinent' and 1 in 5 did not use street heroin at all
 - c) Criminal offences were down from 1,731 in 30 days to 547 in 6 months
 - d) Spending on drugs was down from £300 to £50 a week.
2. The Government stated in its National Drugs Strategy, published last year, that it would "roll out" clinics for the prescription of injectible heroin after the findings of the pilot scheme's scientific analysis has been fully published along with the Department of Health's own evaluation and the NHS, care providers and local services have been given opportunity to respond to the trial.
3. The Advisory Council on the Misuse of Drugs calls on the government to make the drug naloxone much more widely available and to allow frontline workers who may witness an overdose to retain and administer the drug. Naloxone is a drug that reverses heroin overdoses long enough for medical help to arrive and has been estimated could save 500 lives nationally every year.

Given the demonstrable success of the recent pilot and national calls for action, this Council now calls on the government to take urgent action that will reduce harm caused by heroin drug addiction in Brighton and Hove.

It therefore asks that the Chief Executive write to the Secretary of State for Health requesting the government to:

1. Honour its pledge to roll out clinics for the prescription of injectible heroin.

2. Respond to the Advisory Council on the Misuse of Drugs' calls for the drug naloxone to be made more widely available, only after the extensive training of relevant staff and in consultation with the NHS and local care providers.
3. Provide this Council's Health Overview and Scrutiny Committee with an urgent report of additional proposals to enable the prevention of drugs deaths on the scale experienced in Brighton and Hove.

This Council further requests that the Chief Executive writes to the City's 3 MPs asking that they indicate their support for the actions set out under points 1, 2 and 3 above."

24.29 The motion was carried.

(h) 70th Anniversary of the Citizens Advice Bureau (CAB)

24.30 The Notice of Motion as detailed in the agenda was proposed by Councillor Simson in the absence of Councillor Harmer-Strange and seconded by Councillor Brown.

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

"This Council congratulates the CAB on its 70th Anniversary which took place on 4th September 2009.

This Council recognises the vital contribution made by CABs in providing free, independent and confidential advice on a wide variety of topics including: debt, benefits, housing, employment, consumer issues, relationships, family matters, health, education, discrimination, immigration and the law.

The CAB provides a vital service to the residents of Brighton & Hove. During 2008/9 the local Brighton & Hove branch helped over 10,000 residents with advice and support, a 7% increase on the previous year. The CAB has been particularly invaluable to those who have been hit hard by the recession - personal debt is now the single biggest problem dealt with by the CAB.

Furthermore, this Council recognises that every CAB is a registered charity reliant on trained volunteers and public funds to provide these vital services for local communities.

Therefore, this Council resolves to ask the Chief Executive to write to the Director of the Brighton & Hove Citizens' Advice Bureau congratulating them on reaching this significant milestone and expressing the Council's sincere appreciation for the excellent work they carry out for some of Brighton & Hove's most vulnerable residents."

24.32 The motion was carried.

(i) Energy Crunch

24.33 The Notice of Motion as detailed in the agenda was proposed by Councillor Oxley and seconded by Councillor Fallon-Khan.

24.34 Councillor Steedman moved an amendment, seconded by Councillor Wakefield-Jarrett, which was put to the vote by the Mayor and lost.

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

“This Council notes with grave concern the Government’s predictions in the “UK Low Carbon Transition Plan” that they are expecting power cuts equivalent to three thousand megawatt hours a year by 2017. This is equivalent to a million people seeing the lights go out for 15 minutes at peak time on twenty-four winter evenings a year by 2017. This will have a serious and detrimental impact on both residents and businesses in Brighton & Hove.

Furthermore, this Council notes that North Sea gas supply peaked in 1999, since when the flow has fallen by half and by 2015 it will have dropped by two-thirds. By 2015 four of Britain’s ten nuclear power stations will have shut and no new ones are likely to be ready for years after that. Of a total UK generating capacity of around 75 Gigawatts, estimates suggest that between 20 and 32 Gigawatts will disappear by 2015.

This Council regrets the lack of foresight and planning by the Government in addressing these putative shortfalls. For the last decade it has been known that:

- UK nuclear plants were reaching the end of their planned life
- The most polluting coal-fired power stations would need to be closed
- We continue to lag well behind most of our European neighbours in exploiting renewable resources.

Therefore, this Council resolves to ask the Chief Executive to write to the Secretary of State for Energy & Climate Change asking him what steps are being taken to address this vital issue for the residents of Brighton & Hove and the rest of the UK.”

24.36 **The motion was carried.**

(j) Shaping the Future of Care Together (SFCT)

24.37 The Notice of Motion as detailed in the agenda was proposed by Councillor Taylor and seconded by Councillor Wrighton.

24.38 Councillor Norman moved an amendment, seconded by Councillor Barnett, which was accepted by Councillor Taylor.

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

“This council notes the Green paper Shaping the Future of Care Together, concerning the funding of social services, both residential and home-based and welcomes the opportunity to comment on emerging government policy.

City care services are in a period of transition - moving toward personalised budgets at the same time as increasing budgetary pressures. The combination of insufficient funding, increased demand from an ageing society and escalating costs is already placing an immeasurable strain on adult care.

The Local Government Association believes councils already contribute a significant amount to total local adult social care expenditure through Council Tax. They estimate that local government contributes 39%, or more than £5.3bn to total adult care spend of over £13bn.

The Green paper;

- Points to current geographic inequalities both in services provided concerning both the level of need of the recipients and services provided and proposes a National Care Service (NCS) be formed to coordinate standards.
- The Green paper proposes that the work of the NCS and the benefits it provides will be funded through one of three options, Partnership, Insurance or Comprehensive. All of these options require means-tested personal contributions – (apart from the Partnership arrangement where people with less than £23,000 (or an amount to be agreed) would get basic services free.
- Rules out services being wholly funded by the state.
- Proposes a realignment of ‘disability benefits’, which is widely understood to mean that Disability Living Allowance be ceased (DLA), and its funds be diverted to services arranged via NCS.

Such a comprehensive reorganisation of social care payments would affect thousands of Brighton & Hove residents - 12,460 people claimed DLA alone in the year ending August 2008. Added to this are the significant number of people receiving home and residential care packages. Withdrawal or reduction of benefits payable to the most vulnerable will cause real hardship and further widen the poverty gap.

Bearing in mind the importance of these issues to residents and the Council itself; this Council encourages all individuals, organisations and political groups, including the Cabinet Member for Adult Social Care & Health, to respond to the Government consultation on the green paper.”

24.40 The motion was carried.

(k) National Rape and Sexual Assault Hotline

24.41 The Notice of Motion as detailed in the agenda was proposed by Councillor Duncan and seconded by Councillor Randall in the absence of Councillor Kennedy.

24.42 Councillor Simson moved an amendment, seconded by Councillor Kemble, which was accepted by Councillor Duncan.

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

“This council notes:

1. Though under-reporting makes exact figures elusive, the Home Office estimates that more than five per cent of women and men are thought to be raped, and 21 per cent of women and 11 per cent of men are sexually assaulted, at some point in their lives (Cross Government Action Plan on Sexual Violence and Abuse [www.homeoffice.gov.uk/documents/ Sexual-violence-action-plan](http://www.homeoffice.gov.uk/documents/Sexual-violence-action-plan)).
2. Since the closure of *Brighton Rape Crisis Project* in 2002 survivors and victims of rape and serious sexual assault in the city have been able to access only limited specialist support services for a few hours a week, including those funded by this council and provided by the *Survivors Network*. There is no round-the-clock support available for victims of sexual crimes beyond that operated by Sussex Police. While Sussex Police provide a good service in dealing with reports of rape and supporting victims, many sexual crimes go unreported, and many victims do not choose to go to the authorities.

This council therefore resolves:

To ask the Environment & Community Safety Overview & Scrutiny Committee to consider carrying out a review into the issues raised in this motion (including the outcomes for men and women, the extent of support available to residents and the possible benefits of a 24-hour hotline) and to use their new powers to invite external statutory and voluntary organisations to give evidence to the review.”

24.44 The motion was carried.

The meeting concluded at 10.00pm

Signed

Chair

Dated this

day of

2009