

**BRIGHTON & HOVE CITY COUNCIL**

**COUNCIL**

**4.30pm 13 DECEMBER 2018**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

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

**PART ONE**

**36 DECLARATIONS OF INTEREST**

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

**37 MINUTES**

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

**38 MAYOR'S COMMUNICATIONS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**42 PETITIONS FOR COUNCIL DEBATE**

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

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

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

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

42.10 **RESOLVED:**

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

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

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

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

43.3 Councillor Atkinson formally seconded the nomination.

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

43.5 The motion was agreed.

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

**(a) Callover**

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

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

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

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

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

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

**(c) Oral Questions from Members**

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

**45 WRITTEN QUESTIONS FROM COUNCILLORS.**

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

**(1) Councillor Page – Housing**

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

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

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

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

Demand profile on the register

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

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

The current live list is now 9,904

**(2) Councillor Mears**

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

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

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

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

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

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

**(3) Councillor Barnett**

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

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

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

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

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

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

**(4) Councillor Page**

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

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

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

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

**(5) Councillor Mac Cafferty**

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

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

45.11

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

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

**(6) Councillor Mac Cafferty**

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

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

45.13

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

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

**(7) Councillor Mac Cafferty**

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

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

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

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

**(8) Councillor Gibson**

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **Conditions**

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

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

No. of licences applications with the following conditions applied:

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

#### (10) Councillor Gibson

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

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

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

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

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

#### 46 ORAL QUESTIONS FROM COUNCILLORS

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

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

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

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

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

**(3) Councillor Bell – Life Events**

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

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

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

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

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

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

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

Measures to reduce the waste will include:

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

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

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

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

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

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

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

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

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

46.24 Councillor Sykes asked the following supplementary question,

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

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

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

46.27 The question had been withdrawn.

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

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

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

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

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

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

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

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

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

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

- 46.34 Councillor Brown asked the following supplementary question, "Would you agree with me that it is totally unacceptable that I have had to wait for nearly a year in several instances to even get cases allocated to a named enforcement officer let alone get the matters actually dealt with?"
- 46.35 Councillor Cattell replied, "I am really sorry to hear that and I do agree and I know you are not the only councillor who has had problems with this and I am really sorry to the residents that have had to have that uncertainty but this is why we have been putting a

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

**(10) Councillor Druitt – Glyphosates**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**(13) Councillor Hyde – Taxi Trade**

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

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

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

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

**47 COUNCIL TAX REDUCTION SCHEME 2019**

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

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

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

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

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

47.13 The Mayor then adjourned the meeting at 6.20pm.

47.14 The Mayor reconvened the meeting at 6.50pm.

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

### **48.1 RESOLVED:**

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

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

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

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

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

**50 GAMBLING POLICY REVIEW**

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

**51 STATEMENT OF LICENSING POLICY REVIEW**

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

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

## **52 REVIEW OF THE MEMBERS ALLOWANCES SCHEME**

### **52.1 RESOLVED:**

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

## **53 REVIEW OF THE CONSTITUTION - DECEMBER 2018**

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

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

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

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

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

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

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

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

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

Further to this, Council:

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

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

**(2) END OF AUSTERITY**

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

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

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

As a result, this Council requests the Chief Executive:

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

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

**(3) HRA HOUSING CAP**

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

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

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

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

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

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

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

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

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

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

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

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

“This council resolves:

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

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

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

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

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

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

This Council therefore resolves to:

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

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

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

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

## **56 CLOSE OF MEETING**

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

The meeting concluded at 9.15pm

Signed

Chair

Dated this

day of

2019