



**Brighton & Hove
City Council**

COUNCIL ADDENDUM

6.30PM, THURSDAY, 3 FEBRUARY 2022

HOVE TOWN HALL - COUNCIL CHAMBER

ADDENDUM

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Appendix 4

TERMS OF REFERENCE

Orbis Partnership Oversight Board

1. Purpose

To oversee and monitor the delivery of the Orbis Partnership for the benefit of each participating council, and in particular to:

- i. Monitor the performance of the partnership and seek assurance that Orbis is acting according to its mission and business plan and has the resources to do so, including oversight of the external contract performance of Orbis Services.
- ii. Provide constructive challenge to ensure Orbis remains fit for the future.

The board will provide an opportunity for members of the partner authorities to have oversight of the performance of the partnership which would otherwise need to be considered separately through sovereign policy committees or cabinet member meetings. This would be both administratively burdensome but would also mean there would be no opportunity for members to come together and jointly discuss and consider the effectiveness of the partnership. Formal decisions will still be required to go through sovereign processes.

2. Areas of focus

- i) Monitoring performance compared to the business plan
- ii) Providing oversight of services provided by Orbis under external contract.
- iii) Reviewing the effectiveness of the Orbis Partnership.

3. Reporting

The Orbis Partnership Oversight Board will report to the suitable Committee at each sovereign partner organisation as appropriate and with recommendations as necessary.

4. Membership

Each Partner Council shall appoint two Members to the Board in accordance with the governance arrangements of each Council.

The chair of the meeting shall be the member of the Council which is hosting the meeting virtually or physically.

5. Quorum

The quorum for any meeting of the Board will be three members, provided that one member is in attendance from each Council.

6. Meetings and ways of working

The board will meet at least once per year. The board may hold additional meetings as it determines necessary.

Meetings may be held virtually or face-to-face. The virtual (or physical) location will be chaired/hosted on an alternate basis.

7. Review

These terms of reference may be reviewed and amended by sovereign organisations from time to time, subject to the agreement of all partners.

Appendix 5

Trading Standards-related delegations

Proposed changes to the delegations of the Executive Director Economy, Environment and Culture (Part 6.3)

[..]

9. Trading Standards

To exercise the Council's functions with regard to trading standards in the following areas, including but not only by taking such enforcement action as is considered necessary to enforce those functions, using the Council's powers pursuant to all or any legislation in force at the relevant time:

- Animal health and welfare; • Consumer protection; • Fair trading and consumer protection;
- Food and feed; • Food safety; • Health and safety at work; • Product safety; • Weights and measures. • Money laundering

PLUS the deletion of the list of legislation in Schedule 3 in its entirety.

.....

Proposed changes to the delegations of the Executive Lead for Strategy, Governance & Law (and Monitoring Officer) (Part 6.3)

[..]

(3) Proceedings

(a) To institute, defend and carry on or settle legal proceedings to protect the Council's interest or to implement a decision made by the Council, its Committees, Sub-Committees or Officers or for the recovery of any debt or sum due to the Council;

b) To authorize the exercise of the Council's powers to enter into limited and time-bound agreements pursuant to S101 of the Local Government Act 1972 to permit officers of other named authorities to investigate and/or institute proceedings against persons within the Council's area for trading standards matters on a case by case basis, having first consulted with the relevant Executive Director and the Chair of the relevant service Committee.

c) To exercise the Council's functions under Section 222 of the Local Government Act 1972 to institute or defend proceedings in the interests of the inhabitants of the Council's area etc.

[..]

Appendix 6

Changes to the delegations of the Executive Director Economy, Environment and Culture (Part 6.3)

15. Town and Country Planning

- (1) To determine applications in relation to matters listed under Part I of **Schedule 4** to this Scheme of Delegation having regard to the Council's relevant planning policies and published guidelines.

PROVIDED THAT the powers delegated under the above shall NOT apply where:-

- (a) The specified number of individual written objections relating to material planning considerations pertinent to the application in question have been received within the public consultation period from separate persons or bodies in relation to applications that officers are minded to approve, or where the specified number of individual written expressions of support from separate bodies or persons have been received within the public consultation period in relation to applications that officers are minded to refuse. Only written objections or expressions of support received from persons who live in the immediate vicinity of the application site or who otherwise may reasonably be considered to be potentially directly affected by the proposed development will be taken into account in determining the relevant number of representations required by this paragraph. For the purposes of this sub-paragraph "the specified number" shall be ten or more for applications falling within sub-paragraphs (1) (a) to (d) (inclusive) of Part I ("major applications") and shall be five or more for applications falling within sub-paragraph (1) (e) and paragraphs (2) to (5) (inclusive) of Part I.

PROVIDED THAT in relation to major applications where the application would not otherwise be determined by the Planning Committee as a consequence of the above specified number is ten or more and nine or fewer objections or expressions of support have been received, the application in question shall be referred to Planning Committee for determination should the Chair of Planning and/or any of the Opposition Spokespersons deem it appropriate. The Head of Planning will consult with the Chair of Planning and the Opposition Spokespersons for this purpose;

Changes to Criteria for Planning Committee Site Visits (Part 8.5)

APPENDIX 1

Criteria for Planning Committee Site Visits

1 The Purpose of Site Visits

1.1 The purpose of a Site Visit is:-

- to enable Members of the Committee to obtain a fuller appreciation of the likely impact of proposed development, which may not be apparent from the officers' report and presentation or form a public vantage point outside the site, so as to inform better decision making in respect of that application;
- to enable Members of the Committee to assess the impact of schemes that they have previously approved so as to inform decision making in the future (site visits to implemented schemes).

1.2 The purpose of a Site Visit is not:-

- to allow ward Councillors, applicants, objectors or other members of the public to lobby Members of the Committee, nor
- to duplicate or check up on the site assessment made by the planning case officer.

2. Protocol for calling for Site Visits

2.1 Any Member of the Committee or Councillor is entitled to make a request for a site visit explaining how they consider their request meets the criteria set out above. It will be entirely at the discretion of the Committee to decide whether it wishes to carry out a site visit in that particular instance.

2.2 A request for a site visit may be made by a Member either at Planning Committee, ~~or~~ at an Officer-Member Briefing, or by written request in advance of an Officer-Member Briefing. Officers may suggest or formally recommend that a site visit be made. A site visit will be held if unless the majority of Members, present at the time when the request is considered, ~~disagree~~ agree. Should a site visit be agreed the planning application will be heard at, or deferred until, the next Planning Committee following the site visit.

2.3 Members will be encouraged to identify potential cases for Committee site visits at the earliest possible occasion so as to avoid unnecessary deferments.

Appendix 7

Parental, Carers and Special Leave Policy for Members

Aim of the Policy

1.1. The aim of this Policy is to place on record the Council's ongoing intention to provide a positive and accommodating environment for all Members, including those who have family and/or caring responsibilities. Ensuring that a range of people from across our society feel supported to stand for election is a key ambition for the Council. Only by supporting existing elected and co-opted members while also encouraging representation from under-represented groups will the Council attract and retain all those who wish to represent their community or communities, whatever their individual life circumstances.

1.2. This policy offers some key guiding principles, which are to be given their widest possible application in line with the aims and ambitions outlined above.

Context & application of this Policy

1.3 This Policy applies to all types of Leave that a member may wish to take as a result of their family-related responsibilities. This includes but is not limited to the following: parental leave (including maternal and paternal leave, adoptive leave and any leave taken by a person acting as the main carer for a child under the age of 18), carers' leave (including any leave taken to care for another individual of any age), bereavement leave (including that taken following the death of a partner, dependent or other key individual) and special leave (including compassionate leave and leave triggered by a complex family situation).

1.4 The term 'Leave' is used throughout this policy to describe a period of absence of less than 6 months which a member may take at their

discretion from their duties. The legislative framework in relation to member attendance at Council meetings is not affected by this policy and the requirement for authorisation of any absence of 6 months or more remains as set out at s85 of the Local Government Act 1972, as described at paragraph 3.4-3.6 below.

Member allowances, including Special Responsibility Allowances

1.5 The taking of Leave pursuant to this Policy will not trigger any change to a Member's ordinary Allowance or Special Responsibility Allowance, which will continue to be payable to members until such time as they cease to be a member or cease to hold their position of Special Responsibility.

Parental Leave, including adoption and antenatal leave

2.1. An elected Member who has given birth to or is (one of the) primary carer(s) of a child, including an adopted child, may take up to six months' Leave from their Member duties following or starting at around the time of the birth/ adoption/ otherwise assuming caring responsibilities for their child.

2.2. All Members will be supported in attending antenatal appointments and/or pre-adoption appointments where they aim to be (one of the) primary carer(s) of a child.

2.3. The parental Leave provisions in para 2.1 above will be applied equally to any Member whose child is not carried to term or is stillborn. The same principles will also be applied to parents who suffer the bereavement of a child.

Carers, Special and other Leave

2.4 Other Leave including (but not limited to) the types of Leave listed in para 1.3 may also be taken for a period of less than six months at the elected Member's discretion, having first notified their Group and the Monitoring Officer in advance of their intention to take Leave in accordance with para 3.2 below.

Notification of taking of Leave, and of return

3.1 Members are expected to alert both their Group (if they have one) and fellow ward members as well as the Monitoring Officer where they plan to take Leave of any duration exceeding one calendar month. They are expected to indicate an anticipated date of return at that time, and to keep both their Group and the Monitoring Officer informed of their intentions, including by notifying them should their period of absence be extended to cover a longer period of time than first anticipated.

Communication by members who are on Leave

3.2 It is for the individual member to decide whether/ to what extent to continue to respond to emails and correspondence whilst on Leave. While Members will normally be expected to put on an 'out of office' automated message redirecting queries to a designated /alternative member, the main expectation is that they are clear re how long they intend to be absent and the extent to which they will continue to engage, as well as who should be contacted in their absence.

Local Constituent Duties

3.3 Members who take Leave may nominate one or more other Member(s) to deal with local issues in their constituency. Where a Member is in a Group, they may ask another Group member; alternatively or where they are not in a Group then they may ask another Member, who may have been elected to the same ward. It will normally be the

responsibility of the Member taking Leave to arrange this and to notify the Monitoring Officer of the arrangement which has been made.

Leave of 6 months or more

3.4 Periods of absence of six months or more fall outside the limits of this Policy. Section 85 of the Local Government Act 1972 provides that any member failing to attend any meetings of the authority for six consecutive months shall automatically cease to be a member unless their reason for not attending was due to a reason approved by the authority before the expiry of that period.

3.5 Written application must be made to the Monitoring Officer of the Council by a member for Leave for a period of six months or more. Written application must be made at least two weeks before the six consecutive months expire.

3.6 Further details are available on application to the Monitoring Officer.

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Appendix 8

Revised indemnity policy

Indemnity provided to members and Officers under Section 101 Local Government Act 2000 and the Local Authorities (Indemnities for Members and Officers) Order 2004.

Summary

An indemnity is provided in respect of financial liabilities incurred by a Member or Officer of Brighton & Hove City Council (“the Authority”) who is acting in good faith as a Member or Officer of the Council or as an authorised representative working outside the Council, provided that the act or default falls within paragraphs a) or b) and subject to the requirements and exclusions in paragraphs 1) to 4).

Indemnity

For the purposes of this indemnity, “Member” shall include all elected Members of the Authority as well as any persons who are co-opted onto any committee or subcommittee of the Authority and are entitled to vote on any question that falls to be determined by that body. It shall also include the Council’s Independent Persons, who are appointed to the Council pursuant to section 28 of the Localism Act 2011. “Officer” shall include all employees of the Authority.

The Authority shall indemnify each Member and Officer of the Authority against any claim, liability, loss and/or damage in relation to any action of, or failure to act which:-

- a) is authorised by the Authority; or
- b) forms part of, or arises from, any powers conferred, or duties placed upon that Member or Officer, as a consequence of any function being exercised by that Member or Officer (whether or not when exercising that function this is done in their capacity as a Member or Officer of the authority)–
 - i) at the request of, or with the approval of the Authority, or
 - ii) for the purposes of the Authority.

Such indemnity is subject to the following requirements and exclusions:-

1. **Obligation to believe action to be within powers or that statements made were true**

A Member or Officer relying upon an indemnity must:

- a) have believed that the action or failure to act in question was within the powers of the Authority; or

- b) where that action or failure comprises the issuing or authorisation of any document containing any statement as to the powers of the Authority, or any statement that certain steps have been taken or requirements fulfilled, believed that the contents of that statement were true;

and prove that it was reasonable for that Member or Officer to hold that belief at the time when they acted or failed to act.

2. Criminal Offences, Fraud, etc and Defamation

2.1 This indemnity shall not apply in relation to any action by, or failure to act by, any Member or Officer which constitutes a criminal offence, but an indemnity may be provided in relation to:-

- a) the defence of criminal proceedings brought against the Officer or Member, subject to part 3, below, of this indemnity; and

- b) any civil liability arising as a consequence of any action or failure to act which also constitutes a criminal offence.

2.2 This indemnity shall not apply in relation to any action by, or failure to act by, any Member or Officer which is the result of fraud, or other deliberate wrongdoing or recklessness on the part of that Member or Officer.

2.3 This indemnity may apply to the defence by a Member or Officer of any allegation of defamation made against them, but does not extend to the making by a Member or Officer of any claim in relation to an alleged defamation of that Member or Officer.

3. Repayment of Costs upon Criminal Conviction and/or Finding of Breach of the Code of Conduct

3.1 Where a Member or Officer relies upon this indemnity in relation to the defence of either any criminal proceedings; or any investigation, report reference, adjudication or any other proceeding pursuant to Part 3 of the Local Government Act 2000 ("Part 3 proceedings"); this indemnity shall be subject to the terms that:-

- a) in the case of criminal proceedings, if the Member or Officer in question is convicted of a criminal offence and that conviction is not overturned following any appeal; and

- b) in the case of Part 3 proceedings

- i) if a finding is made in those proceedings that the Member in question has failed to comply with the Code of Conduct and that finding is not overturned following any appeal, or

- ii) if the Member admits that they have failed to comply with the Code of Conduct,

that Member or Officer shall reimburse the Authority for any sums expended by the Authority in relation to those proceedings pursuant to this indemnity.

- 3.2 Where a Member or Officer is obliged to reimburse the Authority pursuant to the terms of this indemnity, those sums may be recoverable by the Authority as a civil debt.

4. Application of the indemnity

The indemnity shall continue to apply after the Member or Officer has ceased to be a Member or Officer as well as during their membership of or employment by the Council.

The indemnity shall only extend to actual loss and expense incurred. It does not cover any loss or expense for which the Member or Officer can obtain re-imburement from any other source, including insurance whether taken out by the Council, Member or Officer, or by any other person or organisation

An application for an indemnity received from a Member or Officer should be processed in accordance with paragraph 5. below

5 Notification of a claim, approval of expenditure etc

Any Member or Officer wishing to take advantage of this indemnity shall

- notify the Monitoring Officer at the Authority of this fact as soon as reasonably practicable after the circumstances giving rise to an entitlement claim have come to their attention
- take reasonable steps to mitigate the amount that might otherwise be claimed under the indemnity
- not incur expenditure without the approval of the Authority, which approval shall not be unreasonably delayed, and the Authority shall be entitled to limit the amount it is liable to reimburse such Member or Officer if the proposed expenditure reasonably appears to the Authority to be greater than is necessary in the circumstances
- permit the Authority reasonable access to any information or advice, such as legal advice, relevant to the matter and comply with all other reasonable requests of the Authority in the conduct of the matter
- not be entitled to any indemnity from the Authority for any sum(s) which are discharged by the external body or by insurance cover (whether arranged by or for the external body, the Authority or otherwise), or which would have been so discharged but for the unreasonable actions or omissions of the Member or Officer.

6. Insurance

To assist in discharging this indemnity, the Authority may, at its absolute discretion, arrange insurance. There may also be other insurance which could be used to cover the liability of the Member or Officer, for example arranged by the external body. In any case where insurance cover is available, any Member or Officer claiming to be indemnified by the Authority shall use all reasonable endeavours to abide by any requirements of the insurance / insurer and to assist in claiming and securing payment(s) under the insurance policy.

Updated XX 2021

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Brighton & Hove City Council

Council

Agenda Item 71

Subject: Arrangements for Council and Meetings

Date of meeting: 3 February 2022

Report of: Executive Director for Governance, People & Resources
Extract from the proceedings of the Policy & Resources
Committee meeting held on the 27 January 2022

Contact Officer: Name: Lisa Johnson

Email: lisa.johnson@brighton-hove.gov.uk

Ward(s) affected: All

For general release

Action Required of Council:

To receive the report from the Policy & Resources Committee for consideration and the recommendations for approval.

Recommendations:

- (1) That the proposals set out in the report regarding arrangements for Council and committee meetings (except paragraph 3.11 dealing with attendance numbers) be approved;
- (2) That option A (14) regarding number of attendees at full Council meetings as set out in paragraph 3.12 of the report be approved.

Brighton & Hove City Council

Policy & Resources Committee

4.00pm 27 January 2022

Hove Town Hall - Council Chamber

Minutes

Present: Councillor Mac Cafferty (Chair) Druitt (Joint Deputy Chair), Gibson (Joint Deputy Chair), Allcock (Joint Opposition Spokesperson), Bell (Group Spokesperson), Clare, Evans, Yates, Mears and Platts

Also present: Dr A Biswas Sasidharan, Standing Invitee

Part One

97 ARRANGEMENTS FOR COUNCIL AND MEETINGS

- 97.1 The Committee considered the report of the Executive Director Governance People and Resources which proposed arrangements for holding Council and Committee meetings during the pandemic to minimise the risk to the public, Members and officers.
- 97.2 The Committee noted the Officer Amendment to the report and to Recommendation 2.2.
- 97.3 Councillor Bell noted that in earlier discussions Group Leaders had been discussing limiting the attendance at Council to 40 Members (Option B) and asked why Recommendation 2.2 had been amended to remove that option. The Executive Director Governance People and Resources said that the amendment reflected the majority view of the Group Leaders, and if he wished he could propose an amendment to the recommendations.
- 97.4 Councillor Allcock said that we were still in the pandemic and the number of positive cases in the city was still rising. It was important to ensure that the democratic process continued with the appropriate level of scrutiny being undertaken, and that Council services were delivered as effectively as possible. Councillors also needed to be responsible for those they worked with including officers and Councillors some of whom were more vulnerable. Elected Councillors needed to lead by example and take a proactive public role in health and safety. The proposals in the report were constructive and would enable more thorough discussion, particularly at Committee level, where the venue would be less crowded and so people would be better protected. He noted that these proposals would be reviewed shortly and suggested that when they were, consideration be given to Written Questions submitted by Councillors for Committees be taken as read rather than having Members attend meetings to read them orally.

- 97.5 Councillor Mears agreed with Councillor Allcock that councillors needed to lead by example, and therefore ensure that they were not different from the rest of the city, and noted that NHS workers, bus drivers, shop workers etc were still working. She accepted that some Members may be more vulnerable, but the Council needed to be part of the bigger picture for the economy and businesses wanted the city to open up and Councillors should be part of that.
- 97.6 Councillor Clare said that we were still in the pandemic and Councillors needed to be part of the bigger picture to show that they were concerned about the health of vulnerable people. Councillors had no option but to attend meetings in person, and there had been occasions where a Member had attended a meeting and later found they were positive, which had put others at risk.
- 97.7 Councillor Evans said that these proposals were to protect people by reducing the number of people at meetings, which was the responsible thing to do.
- 97.8 Councillor Yates said that he was clinically vulnerable and the thought of attending a meeting with a large number of people concerned him. It was important for Councillors to consider the risks of attending meetings during the pandemic and the proposals put forward by officers provided a solution.
- 97.9 Dr Biswas-Sasidharan said that as a co-optee she was able to attend the meeting remotely and was concerned that other members of the committee did not have that option and were putting themselves at risk.
- 97.10 The Committee voted on the recommendations (as amended), and 8 Members agreed and 2 Members (Conservative Group) voted against.

97.11 RESOLVED: That the Committee –

- (i) Agreed the proposals set out in this report regarding arrangements for Council and committee meetings (except paragraph 3.11 dealing with attendance numbers) and recommends them to Council for approval;
- (ii) Agreed option A (14) regarding number of attendees at full Council meetings as set out in paragraph 3.12 and recommend them to full Council for approval.

Council

Date of meeting 3 February 2022

CONSERVATIVE GROUP AMENDMENT

Arrangements for Council and Committee Meetings

That changes are made as shown below in ***bold italics*** and strikethrough.

2. Recommendations

~~2.1 That Committee agrees the proposals set out in this report regarding arrangements for Council and committee meetings (except paragraph 3.11 dealing with attendance numbers) and recommends them to Council for approval.~~

~~2.2 That the Committee agrees option A (14) or option B (40) regarding number of attendees at full Council meetings as set out in paragraph 3.11 and recommend them to full Council for approval.~~

2.1 That the Full Council believes that it is possible to hold Full Council meetings of its 54 Councillors at Hove Town Hall and Brighton Town Hall and maintain social distancing as per guidelines;

2.2 That the Full Council notes that residents expect that its Full Council of 54 Councillors should now be meeting to fulfil Council business and that residents are concerned that this is not the case; and

2.3 That the Full Council recommends that all 54 Councillors become fully vaccinated as soon as possible.

Proposed by: Cllr Barnett

Seconded by: Cllr Lewry

Recommendations to read if carried:

2.1 That the Full Council believes that it is possible to hold Full Council meetings of its 54 Councillors at Hove Town Hall and Brighton Town Hall and maintain social distancing as per guidelines;

2.2 That the Full Council notes that residents expect that its Full Council of 54 Councillors should now be meeting to fulfil Council business and that residents are concerned that this is not the case; and

2.3 That the Full Council recommends that all 54 Councillors become fully vaccinated as soon as possible.

Council

Date of meeting 3 February 2022

CONSERVATIVE GROUP AMENDMENT

Council Service Delivery

That deletions are made as shown with strikethrough below and additional recommendations are added as shown in ***bold italics*** below.

This Council

1. Notes the high volume of complaints that Councillors receive from residents rightly angry about basic council services failing to deliver – from missed refuse, recycling and garden waste collections; to overgrown weeds; to graffiti and litter on our streets, beaches and in our parks; to mismanagement of parking permits; and the general maintenance, upkeep and cleanliness of our city;
2. ***Notes that responsibility for the above predominantly results from proposals made by the Official Opposition using existing Council machinery including Committees and meetings of Budget Council such as:***
 - a. ***Ending the use of glyphosates with immediate effect, without an alternative plan in place for clearing weeds (Environment, Transport and Sustainability Committee, November 2019).***
 - b. ***Cutting the City's graffiti budget (Budget Council, February 2021).***
 - c. ***Opposing six measures to tackle crime and antisocial behaviour, including tackling graffiti, overflowing bins, and seafront hotspots (Tourism, Equalities, Communities and Culture Committee, 23 June 2020).***
 - d. ***Neglecting an invitation to apply for Safer Streets Funds to improve lighting in the city (Tourism, Equalities, Communities and Culture, 2019-20).***
 - e. ***Altering the system for issuing public parking permits, without a suitable delivery plan in place, causing widespread disruption (Environment, Transport and Sustainability Committee, 2019).***
 - f. ***Failing to reform City Clean, especially in 2019, which left the City vulnerable to strike action (Policy and Resources Committee, 2019).***
 - g. ***Deciding not to renew the City's Public Space Protection Orders (PSPOs) for Parks and Open Spaces (Tourism, Equalities, Communities & Culture, 2019)***

- 3 Notes that the Council's own 2020-21 year-end Corporate KPI results reflect the complaints from residents, and show the Council is performing below-target on the delivery of some essential services, and that some of these failures are systemic and long-running;
- 4 Recognises the challenges the pandemic has presented, and thanks and acknowledges the hard work council staff have undertaken over the past year, particularly as less than 10% were furloughed;
- 5 Recognises also, however, that lockdown is over and despite ongoing pandemic related challenges, residents are right to expect improvements to the delivery of council services from the leadership of the Council;

This Council resolves to ask the Policy & Resources Committee to:

- ~~1. Urgently establish a cross-party Member Working Group consisting of six Members, two from each political party, and chaired by a Member of the official opposition on the Council. It would have the remit to investigate, review and discuss solutions to the systemic management failures behind the delivery of basic council services, namely waste and refuse collection, parking permits and street cleanliness, and provide recommendations to the Policy & Resources Committee and the Environment, Transport & Sustainability Committee on ways to improve these services.~~
1. ***Review the current number of Working Groups following the creation of excessive numbers of these groups under the previous Administration leading to service failure across the Council.***

Proposed by: Cllr Miller

Seconded by: Cllr Nemeth

Motion to read if carried:

This Council

1. Notes the high volume of complaints that Councillors receive from residents rightly angry about basic council services failing to deliver – from missed refuse, recycling and garden waste collections; to overgrown weeds; to graffiti and litter on our streets, beaches and in our parks; to mismanagement of parking permits; and the general maintenance, upkeep and cleanliness of our city;
2. Notes that responsibility for the above predominantly results from proposals made by the Official Opposition using existing Council machinery including Committees and meetings of Budget Council such as:
 - a. Ending the use of glyphosates with immediate effect, without an alternative plan in place for clearing weeds (Environment, Transport and Sustainability Committee, November 2019).
 - b. Cutting the City's graffiti budget (Budget Council, February 2021).

- c. Opposing six measures to tackle crime and antisocial behaviour, including tackling graffiti, overflowing bins, and seafront hotspots (Tourism, Equalities, Communities and Culture Committee, 23 June 2020).
 - d. Neglecting an invitation to apply for Safer Streets Funds to improve lighting in the city (Tourism, Equalities, Communities and Culture, 2019-20).
 - e. Altering the system for issuing public parking permits, without a suitable delivery plan in place, causing widespread disruption (Environment, Transport and Sustainability Committee, 2019).
 - f. Failing to reform City Clean, especially in 2019, which left the City vulnerable to strike action (Policy and Resources Committee, 2019).
 - g. Deciding not to renew the City's Public Space Protection Orders (PSPOs) for Parks and Open Spaces (Tourism, Equalities, Communities & Culture, 2019)
- 3 Notes that the Council's own 2020-21 year-end Corporate KPI results reflect the complaints from residents, and show the Council is performing below-target on the delivery of some essential services, and that some of these failures are systemic and long-running;
- 4 Recognises the challenges the pandemic has presented, and thanks and acknowledges the hard work council staff have undertaken over the past year, particularly as less than 10% were furloughed;
- 5 Recognises also, however, that lockdown is over and despite ongoing pandemic related challenges, residents are right to expect improvements to the delivery of council services from the leadership of the Council;

This Council resolves to ask the Policy & Resources Committee to:

- 1. Review the current number of Working Groups following the creation of excessive numbers of these groups under the previous Administration leading to service failure across the Council.

Date of meeting 3rd February 2022

GREEN GROUP AMENDMENT

Council Service Delivery.

That changes are made as shown below in ***bold italics*** and strikethrough.

This Council:

1. Notes the high volume of complaints that Councillors receive from residents ***concerned about*** ~~rightly angry about basic~~ ***performance of some*** council services ~~failing to deliver~~ – from missed refuse, recycling and garden waste collections; to overgrown weeds; to graffiti and litter on our streets, beaches and in our parks; to mismanagement of parking permits; and the general maintenance, upkeep and cleanliness of our city;
2. Notes that the Council's own 2020-21 year-end Corporate KPI results reflect the ***pandemic, as well as demonstrating*** complaints from residents, and show the Council is performing below-target on the delivery of some essential services, and that some of these ~~failures~~ ***issues*** are systemic and long-running; ***and also reflect the impact of cuts to public services made by government;***
3. Recognises the challenges the pandemic has presented, and thanks and acknowledges the hard work council staff have undertaken over the past year, particularly as less than 10% were furloughed;
4. Recognises also, however, that ~~lockdown is over and~~ despite ongoing pandemic-related challenges, residents are right to expect improvements to the delivery of council services. ~~from the leadership of the Council.~~

This Council resolves to ask the Policy & Resources ***Recovery Sub-Committee*** to ***request:***

1. ~~Urgently establish a cross-party Member Working Group consisting of six Members, two from each political party, and chaired by a Member of the official opposition on the Council. A new report to every meeting of the sub-committee outlining the council's steps to recovery in the following service areas: It would have the remit to investigate, review and discuss solutions to the systemic management failures behind the delivery of basic council services, namely~~
 - waste and refuse collection,
 - parking permits
 - ~~and~~ street cleanliness

with the opportunity to ask questions of responsible senior officers and receive feedback on any recommendations and progress;

- ~~• and provide recommendations to the Policy & Resources Committee and the Environment, Transport & Sustainability Committee on ways to improve these services.~~

2. A report to an upcoming meeting of the Policy & Resources Recovery Sub-Committee outlining the council's roadmap to developing digital service delivery with inclusion at its heart

Proposed by: Cllr Clare

Seconded by: Cllr Druitt

Motion to read if carried:

This Council:

1. Notes the high volume of complaints that Councillors receive from residents concerned about performance of some council services from missed refuse, recycling and garden waste collections; to overgrown weeds; to graffiti and litter on our streets, beaches and in our parks; to mismanagement of parking permits; and the general maintenance, upkeep and cleanliness of our city;
2. Notes that the Council's own 2020-21 year-end Corporate KPI results reflect the pandemic, as well as demonstrating complaints from residents, and show the Council is performing below-target on the delivery of some essential services, and that some of these issues are systemic and long-running; and also reflect the impact of cuts to public services made by government;
3. Recognises the challenges the pandemic has presented, and thanks and acknowledges the hard work council staff have undertaken over the past year, particularly as less than 10% were furloughed;
4. Recognises also, however, that despite ongoing pandemic-related challenges, residents are right to expect improvements to the delivery of council services.

This Council resolves to ask the Policy & Resources Recovery Sub-Committee to request:

1. A new report to every meeting of the sub-committee outlining the council's steps to recovery in the following service areas:
 - waste and refuse collection,
 - parking permits
 - street cleanlinesswith the opportunity to ask questions of responsible senior officers and receive feedback on any recommendations and progress;
2. A report to an upcoming meeting of the Policy & Resources Recovery Sub-Committee outlining the council's roadmap to developing digital service delivery with inclusion at its heart.

Brighton & Hove City Council

COUNCIL

Agenda Item 78

Date of meeting 3rd February 2022

LABOUR GROUP AMENDMENT

Victoria Fountain Investigation.

That changes are made as shown below in ***bold italics*** and strikethrough.

This Council requests the Environment, Transport & Sustainability Committee:

1. To commission an urgent investigation into ~~recent reports of Victoria Fountain foundation damage~~ and the appearance of a sink hole after the removal of the Christmas market and funfair, ***and whether existing known damage to the Victoria Fountain has been worsened by the funfair, or may be worsened by heavy equipment due to be placed there during planned work on Valley Gardens 3;*** and
2. To agree to the public release of all findings so that residents can be assured ~~in the future~~ that ***the city's*** historic sites and important heritage assets will be treated with the respect ~~that~~ they deserve.

Proposed by: Cllr Evans

Seconded by: Cllr Grimshaw

Motion to read if carried:

This Council requests the Environment, Transport & Sustainability Committee:

1. To commission an urgent investigation into the appearance of a sink hole after the removal of the Christmas market and funfair, ***and whether existing known damage to the Victoria Fountain has been worsened by the funfair, or may be worsened by heavy equipment due to be placed there during planned work on Valley Gardens 3;*** and
2. To agree to the public release of all findings so that residents can be assured that the city's historic sites and important heritage assets will be treated with the respect they deserve.

Council

Date of meeting 3 February 2022

LABOUR GROUP AMENDMENT

Westdene Park & Ride

That changes are made as shown below in ***bold italics*** and strikethrough.

This Council:

1. Notes that Environment, Transport & Sustainability Committee voted on 21st July 2021 for an urgent report for the next meeting of that committee on Administration proposals for a park and ride scheme on Mill Road in Westdene;
2. Further notes that no report was forthcoming at meetings of Environment, Transport & Sustainability Committee on 21st September 2021, 16th November 2021 or 18th January 2022;
3. ***Notes that the Labour Group identified funds in last year's underspend to invest in a park and ride scheme;***
4. ***Urgently calls on the Administration to deliver a report to the next meeting of the Environment, Transport & Sustainability Committee with an update on current progress.***
5. ~~Draws attention to press reports that an experimental park and ride is due to start in the spring following conflicting report from the Administration on the topic; and~~
6. ~~Requests the Environment, Transport & Sustainability Committee to call for the urgent release of a full public statement on the topic with proposals of a full programme of consultation of Westdene residents included.~~

Proposed by: Cllr Wilkinson

Seconded by: Cllr Appich

Motion to read if carried:

This Council:

1. Notes that Environment, Transport & Sustainability Committee voted on 21st July 2021 for an urgent report for the next meeting of that committee on Administration proposals for a park and ride scheme on Mill Road in Westdene;

2. Further notes that no report was forthcoming at meetings of Environment, Transport & Sustainability Committee on 21st September 2021, 16th November 2021 or 18th January 2022;
3. Notes that the Labour Group identified funds in last year's underspend to invest in a park and ride scheme;
4. Urgently calls on the Administration to deliver a report to the next meeting of the Environment, Transport & Sustainability Committee with an update on current progress.