

BRIGHTON & HOVE CITY COUNCIL
SPECIAL POLICY & RESOURCES COMMITTEE

4.00pm 19 OCTOBER 2021

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Mac Cafferty (Chair) Druitt (Joint Deputy Chair), Gibson (Joint Deputy Chair), Appich (Joint Opposition Spokesperson), Evans, Hugh-Jones, Miller, Nemeth, Platts and Yates.

PART ONE

50 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

50.1 Councillors Hugh-Jones, Platts and Nemeth declared that they were attending as substitutes for Councillors Clare, Allcock and Bell respectively.

(b) Declarations of Interest

50.2 Councillors Yates declared a non-pecuniary interest in the items appearing on the agenda as he was a member of the GMB who contributed to the Labour Party and as such potentially his election campaign.

50.3 Councillor Appich declared a non-pecuniary interest in the items appearing on the agenda as she was a member of the GMB;

50.4 Councillor Platts declared a non-pecuniary interest in the items appearing on the agenda as she was a member of the GMB and had received previously received a contribution towards her election campaign and support with a standards complaint.

50.5 Councillor Evans declared a non-pecuniary interest in the items appearing on the agenda as she was a member of Unite.

(c) Exclusion of Press and Public

50.6 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

50.7 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the item contained in part two of the agenda.

51 CHAIR'S COMMUNICATIONS**51.1** The Chair gave the following communications:

This is the first council meeting since the dreadful murder of David Amess MP. So I think we all need to bear in mind what's happened and reflect on the fact that this was not just the murder of a Member of Parliament. It was similar to the dreadful murder of Jo Cox five years ago, an attack on democracy itself, and obviously our thoughts are with his family at this moment in time.

In regard to the agenda ahead of us, I want to start by acknowledging the hard work that has gone into negotiations involving the GMB, council officials and councillors who have met day and night, and even across the weekend, to find a resolution. I'd also like to welcome the fact that this resolution seeks to find a positive way forward for industrial relations at City Clean and I'm concerned to see that trust and confidence is rebuilt for both city clean staff and residents.

I'd also like to thank residents for their patience during this time. I'm hopeful that the committee can ratify the deal at our meeting today and help pave the way forward through what has been a very challenging industrial dispute so that the clear up can begin. Again, thank you very much and I'll move on to ask the Head of Democratic Services to undertake a call over. Councillors should indicate those items they wish reserved for discussion. Thank you.

52 CALL OVER**51.1** The following items on the agenda were reserved for discussion:

Item 54 – City Clean Dispute Resolution

Item 56 – City Clean Dispute Resolution – Exempt Categories 3, 4 & 5.

53 PUBLIC INVOLVEMENT**53.1** The Chair noted that there were no public items for consideration at the meeting.**54 CITY CLEAN DISPUTE RESOLUTION****54.1** The Chair noted that Item 56 in the agenda related to the report of the Chief Executive and reminded Members of the need to refrain from bringing matters into the open session and that a full debate could be held in closed at the appropriate time. He also noted that there was an amendment from the Conservative Group and stated that he would call on Councillor Miller to move the amendment in due course.**54.2** The Chair then invited the Chief Executive to introduce the report.**54.3** The Chief Executive introduced the report and stated that it outlined the proposed offer that had been agreed over the weekend with the GMB and was being put to the committee for approval.

- 54.4 Members of the Committee then asked various questions in relation to the process of negotiations and how the final offer was reached and the various health & safety considerations that had been taken into consideration during the dispute. Members noted that a series of arson attacks in the previous week had resulted in concerns for health & safety being raised by officers and the fire & rescue service and action being taken to alleviate these concerns in specific areas within the city due to the build-up of waste.
- 54.5 Councillor Appich requested a short adjournment in order that the information provided to the Chief Executive by officers and the fire & rescue service could be circulated and considered by Members.
- 54.6 The Chair then adjourned the meeting at 16.45pm.
- 54.7 The Chair reconvened the meeting at 16.56pm.
- 54.8 Members of the Committee noted that health & safety risks across areas of the city had been identified and that officers had considered the use of contractors to clear these. It was also noted that dispensation for council staff to undertake the work had been sought from the GMB initially and that the use of contractors was possible if dispensation was not given and there were safety concerns. The Committee noted that during the negotiations an agreement was reached which was now before the committee and that the workforce had returned to work on Monday. The management team and workforce were working closely to identify the routes that needed to be dealt with as a priority and those in the city centre where it would be helpful to have contractors working in support.
- 54.9 It was agreed that the Executive Director for Economy, Environment and Culture would provide the Committee Members with the details of the use of contractors over the previous weekend after the meeting.
- 54.10 Councillor Yates stated that he wished to put on record his thanks to Councillor Druit for his work over the weekend in the negotiation process. He also wished to clarify whether it would be possible to have any of the part two information made publicly available once a resolution to the matter had been reached as he felt that the costs should be known.
- 54.11 The Monitoring Officer suggested that further discussions could be held with the Group Leaders following any agreement that was approved at today's meeting and if appropriate, information could then be made available. However, given the sensitivities of the negotiations he did not believe it would be possible to release any information at present.
- 54.12 The Cahir then invited Councillor Miller to move his amendment.
- 54.13 Councillor Miller moved the amendment on behalf of the Conservative Group and stated that he felt that there was a need to bring a further report to the next Policy & Resources Committee meeting. He believed that there was need to end the cyclical cycle of strike action followed by a pay increase, then another strike and another pay increase etc. He still questioned that the strike had not been about pay and the GMB

had done very well out of the dispute. The result of which was likely to see cuts in services and residents unduly affected.

- 54.14 Councillor Nemeth formally seconded the amendment and stated that he believed it was fundamentally wrong that Members of a union could vote on issues that directly affected unions. He suggested that the council's position had been flawed at the start of the process, although officers had acted in good faith, he could not support the recommendations as listed in the report.
- 54.15 Councillors Yates, Appich, Hugh-Jones and Druitt commented on the amendment and stated that they could not support it.
- 54.16 The Chair noted the comments and stated that he was minded to move into closed session to continue the debate.
- 54.17 Councillor Appich requested a short adjournment prior to the meeting moving into closed session which the Chair agreed to.
- 54.18 The meeting was then adjourned at 17.55pm and the Chair reconvened the meeting in closed session at 18.08pm.
- 54.19 The Chair reconvened the meeting at 19.21pm and stated that there had been a robust debate during the closed session. He then put the amendment from the Conservative Group to the vote which was lost by 2 votes to 8.
- 54.20 The Chair then put the recommendations as listed in the report to the vote which were carried by 8 votes to 2.
- 54.21 **RESOLVED:**
- (1) That it be noted how officers have negotiated the agreements that appear in the part 2 report in accordance with the instructions from this committee, to work within the framework set by the 13th October Policy & Resources Committee and with the objective of getting best value for the council taxpayers, addressing low pay, taking into account legal and financial implications
 - (2) That it be noted that any resulting financial commitments as set out in the part 2 report would need to be factored into the sequence of reports leading up to and including Budget Council and will be considered by the cross-party Budget Review Group as part of the process.

55 ITEMS REFERRED FOR COUNCIL

- 55.1 **RESOLVED:** That no items be referred for information to the full Council meeting.

PART TWO SUMMARY**56 CITY CLEAN DISPUTE RESOLUTION - EXEMPT CATEGORIES 3, 4 & 5**

- 56.1 The Chair invited the Executive Director for Economy, Environment & Culture to speak to the report.
- 56.2 The Executive Director for Economy, Environment & Culture stated that the report outlined the agreement reached with the GMB, which had been reached in accordance with the instructions given at the last committee meeting.
- 56.3 The Chair stated that he felt it would be beneficial to have both amendments moved and invited Councillor Miller to move the Conservative Group amendment.
- 56.4 Councillor Miller formally moved the Conservative amendment which was formally seconded by Councillor Nemeth.
- 56.5 Councillor Druitt then moved an amendment on behalf of the Green Group which was formally seconded by Councillor Gibson.
- 56.6 The Chair put the Green amendment to the vote which was carried.
- 56.7 The Chair then put the Conservative amendment to the vote which was lost.
- 56.8 The Chair then put the recommendations as amended to the vote which were carried.
- 56.9 **RESOLVED:** That the recommendations as amended be agreed.

57 PART TWO PROCEEDINGS

- 57.1 **RESOLVED:** That the information and decisions taken in Part Two should remain exempt from disclosure to the press and public until such time that the Monitoring Officer in consultation with the Leaders Group considers the release of any of the information contained in Part Two can be put into the public domain.

The meeting concluded at 7.23pm

Signed

Chair

Dated this

day of