BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 8 MAY 2014

COUNCIL CHAMBER, BRIGHTON TOWN HALL

MINUTES

Present: Councillors Cobb (Chair), Randall (Deputy Chair), Barnett, Bennett, Brown, Buckley, Carden, Cox, Daniel, Davey, Deane, Duncan, Farrow, Fitch, Gilbey, Hamilton, Hawtree, Hyde, Janio, Jarrett, A Kitcat, J Kitcat, Lepper, Littman, Mac Cafferty, Marsh, Meadows, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pidgeon, Pissaridou, Powell, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Wakefield, Wealls, Wells, West and Wilson.

PART ONE

108. DECLARATIONS OF INTEREST

- 108.1. Councillor Carden declared a personal and prejudicial interest in Item 118 (b) Academies - Notice of Motion, as his grand-daughter attended Hove Park School;
- 108.2. Councillor Hamilton declared a personal and prejudicial interest in Item 118 (b) Academies Notice of Motion, as his grandson attended Hove Park School;
- 108.3. Councillor Mitchell declared a personal and prejudicial interest in Items 113 Deputation concerning Brighton & Hove Estates Conservation Trust and Item 116 (c) Member Question on Stanmer Park; as she was a Trustee and would therefore leave the Chamber and take no part in the consideration of either Item;
- 108.4. Councillor West declared a personal and prejudicial interest in Items 113 Deputation concerning Brighton & Hove Estates Conservation Trust and Item 116 (c) Member Question on Stanmer Park; as he was a Trustee and would therefore leave the Chamber and take no part in the consideration of either Item;
- 108.5. The Mayor stated that Councillor Morgan had informed her he was likely to be late for the meeting and had asked that a personal and prejudicial interest in Item 114 (a) Save our Deans Petition for debate; as he lived close to the area in question and he would therefore leave the Chamber and take no part in the debate or voting thereon.
- 108.6. No other declarations of interests in matters appearing on the agenda were made.

109. MINUTES

- 109.1. The minutes of the last ordinary meeting held on the 27 March were approved and signed by the Mayor as a correct record of the proceedings; subject the following amendments:
 - (i) Paragraph 95.5 to include that Councillor Kitcat offered to meet with Mr. Jones and
 - Paragraphs 99.22 and 99.24 should be amended to reflect the spelling mistakes and the words 'resent' and 'extensible' replaced by 'recent' and 'extensibly' respectively;
 - (iii) Paragraph 104.6 to read, "Councillor Phillips noted that Academies were able to select their intake which could be why there is a gap in attainment levels and sated that both as an elected Member and teacher she was opposed to them in the city."

110. MAYOR'S COMMUNICATIONS.

- 110.1. The Mayor reminded the Council that it was in purdah and therefore should be mindful of the position during any debates in the meeting;
- 110.2. The Mayor then drew Members' attention to Item 114(A) on the agenda which related to the petition debate regarding the 'Save our Deans' campaign. She noted that a planning application in relation to this matter was expected and therefore Members of the Planning Committee need to be mindful of their position should they choose to speak in the debate so as to not compromise their role on the committee;
- 110.3. The Mayor then drew Members' attention to the clarification paper from the Monitoring Officer in relation to Item 117 on the agenda, following the Policy & Resources Committee meeting held on the 1st May, which has been circulated with the addendum papers;
- 110.4. The Mayor informed the Council that she had also agreed to take an additional item concerning the Area Panel Boundaries and Housing Management Consultative Sub-Committee, which has been referred for information from the Policy & Resources Committee meeting held last Thursday. The extract from the minutes and the report had been circulated with the addendum papers and were listed as Item 117(A).
- 110.5. Finally, the Mayor noted that there were only two reports listed for consideration and therefore she did not see the need for a call over.

111. TO RECEIVE PETITIONS AND E-PETITIONS.

111.1. The Mayor invited the submission of petitions from councillors and members of the public. She reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.

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- 111.2. Mr Hooper presented a petition signed by 48 residents concerning Stanmer Village requesting that no bid be submitted to the Heritage Lottery Parks for People until an agreement had been reached with residents on future parking in the village.
- 111.3. The Mayor noted that there were no other petitions to be presented.

112. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

112.1. The Mayor noted that no public questions had been received for the meeting.

113. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

113.1. The Mayor reported that two deputations had been received from members of the public and invited Mr. Knight as the spokesperson for the first deputation to come forward and address the council.

(a) Council Owned Properties in Stanmer Village

113.2. Mr. Knight thanked the Mayor and stated that;

"I'm here on behalf of a number of Stanmer Village households most of whom are here today. We are tenants of the council owned properties leased to the Brighton & Hove Estates Conservation Trust on September 28th 2005 for 20 years, the board of which includes two elected council members, a partner of the Trust's managing agent and a partner of their solicitor's firm. One of the many requirements of the lease agreement is that the Trust keeps the properties in good repair and condition, but we do not believe that the trust is fulfilling this obligation. As the council granted this lease we feel this is a matter for which the Authority has a responsibility, and are asking for it to investigate our claims.

We also maintain the trust is not fulfilling its own stated objectives to pursue a policy of:

- conservation and improvement of cottages in Stanmer Village, and
- letting to local people whom it is hoped will contribute to the Village community

We have compiled a report which runs for some 50 pages including emails, photographs, and letters of support from various ranking officials. It shows very poor condition of properties at the start of tenancies, and consistently substandard repairs. A newly let cottage was in such poor state of repair that as a last resort, the new tenant called an officer from the council's Environmental Health. The house was uninhabitable and it deeply saddens all of us here that she got nowhere and has moved out of the village. The damp and cold in these properties has, we feel, been a contributing factor in the ill health of at least three children in the village. We have raised the issue of non-sustainability, energy inefficiency and need for insulation on numerous occasions.

We are also concerned about rental Increases in breach of Tenancy Agreements. A clause, in all of our leaseholds says that rental increases must be in line with the Retail Price Index. When my wife and I were recently querying a proposed rental increase of 15% in a new 12-month lease, we were issued, with a Notice of Eviction. This still

stands, despite a petition of support signed by the entire Stanmer Village community including the businesses.

There's also a universal feeling of insecurity, references are consistently made to other prospective tenants who are interested in our admittedly very beautiful homes, then the higher rental at which our homes would be advertised should we not accept the Trust's new terms. When questioning a 20% rental increase, a tenant who'd lived in the village for 30 years was told the increase was non-negotiable and if she did not wish to pay it, they would serve notice. There is also in this dossier, a record of the email which also told them that should they actually discuss this with fellow villagers the trust would be forced to take action.

This report outlines the dubious regard to the listed nature of the buildings. In the farmhouse, the Trust stated an unsafe fireplace was a listed feature to the building which couldn't be removed unless I would consider a 10% rental increase. They also said I was welcome to do the work myself because I was not aware of this listed nature of the item. My neighbour's complaint regarding the classic iron-work guttering which was replaced with cheap ill-fitting plastic guttering, which continued to leak, resulted in the Trust emailing all tenants to say maintenance of guttering was our responsibility despite a clause in our agreement's suggesting otherwise.

Despite many direct requests, or indirect cc'ing on email correspondence, the Trustees have, until the last few days as this deputation approached, consistently refused to engage with tenants on any specific complaints we have made. We are also very concerned that the Council's elected Members on the Trust can support rental increases of 15-20% on these Council properties, given their backing to the recent motion put forward by Green Councillor Bill Randall, supported by Labour's housing spokesman Chaun Wilson, which calls for a cap on private rental increases.

Councillor Summers recently met with us to discuss our concerns about the management of our properties and then raise them officially in a letter to the Trust on our behalf requesting a meeting. The response is here in this report, it ignores our request and maintains that as a charity all the income it receives from tenant's rents aside from a small amount spent on administration is spent on maintaining the properties and making rental payments to this council. However the most recent accounts available from the Charity Commission show that actually less than 50% of their income is spent on maintenance and rent, and the amount spent on repairs in 2013 was 50% lower than the previous year, yet their management fees costs increased by 13%."

113.3. Councillor Littman replied, "The Council is obviously deeply concerned to hear of the numerous and serious issues which are outlined in your deputation. It does need to be said also, that the allegations are rejected by the Trust, their lawyers and their agents. As you know, the Council is not your landlord, we have no choice but to respect the legal rights of the Trust to manage the properties, as they see fit, so long as they remain within the terms of the lease with the council. Nonetheless, we are more than willing to work with all parties concerned to attempt to facilitate an outcome that's acceptable to all. To this end, we have asked officers to work with the trust to review the situation and the longer term future of the arrangements. As far as the immediate

issues of your deputation are of concern, we hope all parties concerned will engage in a constructive dialogue and resolve the process by agreement."

- 113.4. The Mayor thanked Mr. Knight for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Policy & Resources Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- **Note:** Councillors Mitchell and West having declared a personal and prejudicial interest in the matter detailed above withdrew from the chamber and took no part in the discussion thereon.

(b) Claredon Area Recycling

- 113.5. The Mayor then invited Ms. Quinn as the spokesperson for the second deputation to come forward and address the council.
- 113.6. Ms. Quinn thanked the Mayor and stated that; "I am making this statement on behalf of the residents of the 'Clarendon' area comprising Livingstone Road, Shirley Street, Clarendon Road, Goldstone Road, Ellen Street and the immediate surrounding area. It represents the views expressed by the overwhelming majority of residents that Matthew Irish and I have spoken to over the last two months, and those who have emailed either Mr Irish or me.

Since last summer there has been an ongoing issue with the collection of refuse and recycling from the above named streets and this has been a cause of considerable anger and frustration for local residents. Residents have become confused about exactly when the refuse and recycling collections take place as there have been a number of changes. What most concerns residents is the fact that many of the communal bins fill up so quickly that residents are left only being able to place their rubbish bags around the base of the communal bins – an entirely unsatisfactory situation as seagulls, foxes, rats and other wildlife then rip into the bags and rubbish is strewn all around the area - a serious environmental health risk - and generally this rubbish is not picked up – it just blows about the streets. The recycling boxes have posed a similar issue with boxes being placed for collection but not being picked up because there is confusion about when they are to be collected. Once again, the rubbish tends to end up getting blown about the streets - this creates a vision of neglect and lack of public resources in a city which should pride itself on its appearance to both residents and visitors. Now there are communal recycling bins, but local residents are concerned that once again these will fill too guickly and recycling material will be left around the base of the bins - and thus nothing will have been resolved.

The residents are urging the council to provide clear information about the times of collections – perhaps this could be posted on the bins themselves? They are also urging the council to provide for more street cleaners to pick up the litter that arises from the refuse and recycling bins - to ensure that this area does not look run down and neglected, as it does at present."

113.7. Councillor West replied; "As you say, you're referring to issues over the past year and we have experienced disruption in collection services for a number of reasons. Firstly, we have had to resolve the historic issue of pay fairness for all staff in the council, and this is a matter that has been held over successive administrations and unfortunately, collection services were impacted through the period of negotiation with staff unions, but I am very glad to say we successful resolved an outcome. We then had to implement massive changes that resulted from that deal to the collection services across the whole of the city, and this was a massive change for City Clean, the biggest change they have had to undertake. But it also allowed us to create service improvements at the same time, like the introduction of bank holiday collections which has helped to resolve confusion for a lot of residents on an ongoing basis with when their collections would be.

Following our successful pilot funding bid, we have also introduced communal recycling, which you mentioned, we're rolling that out, the roll out is coming towards to the end now. But this is a new scheme and it will be for over 30,000 households and it was supported at committee by all the parties on the Council, including your own labour party.

Another big change, this is another big change for City Clean to implement at the same time as other things, but it will result in less cluttered streets and higher recycling rates, and our pilot showed that recycling results in Brunswick & Adelaide went up by 70% with this easier to use scheme. One of the benefits of communal recycling is that it allows residents to drop off their recycling at their convenience, which is why we don't advertise collection dates, which is a criticism I noticed in your deputation.

You also mention the frequency of emptying your bins and whether they're getting over filled. With all new schemes, as the patterns of usage emerge, we actually tweak our emptying frequency, so this is to be expected, but in a normal case, we would be emptying the bins often enough. The bins with missing lids that you have mentioned are due to be repaired shortly as part of our ongoing schedule of refurbishment of these bins. Can I finally say again that I apologise for the problems you and other residents have experienced, but I do understand from Ward Councillors colleagues that have been to and inspected the area that they say to me, it is now neat and tidy. I do note that we haven't actually had any complaints from yourself or Mr. Irish, but if you do actually experience problems, the best thing to do is to let us know and then we can deal with them directly ourselves."

113.8. The Mayor thanked Ms. Quinn for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Environment, Transport & Sustainability Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

114. PETITIONS FOR COUNCIL DEBATE

114.1. The Mayor stated that the council's petition scheme provided that where a petition secured 1,250 or more signatures it could be debated at a Council meeting. She had

been notified of one such petition which had sufficient signatures to warrant a debate and therefore would call on the lead petitioner to present their petition before opening the matter up for debate.

- 114.2. The Mayor then called on Mr. Wedd to present the petition concerning the proposed development on land known locally as 'The Vale Meadows' adjoining Rottingdean and Ovingdean by Lightwood Developments.
- 114.3. Mr. Wedd thanked the Mayor and stated that the petition sought to secure the greenfield site so as to protect the area and maintain the natural separation of Rottingdean and Ovingdean and to prevent such developments as proposed by Lightwood Developments. He stated that over 1,600 people had signed the petition and he hoped that the council would recognise the potential impact such a development would have on the area and amenities. He suggested that there were other more suitable areas which could be used to meet the demand for housing such as Shoreham Port and under-used employment land; but in the meantime hoped that the council would be mindful of the level of opposition to the proposed development and refuse any planning application of this nature.
- 114.4. Councillor J. Kitcat thanked Mr. Wedd for presenting the petition and noted that the area had not been identified in the City Plan and that the Planning Committee would take into consideration any objections that were made to a planning application.
- 114.5. Councillor Hawtree noted that the National Planning Policy Framework had put the council in a difficult position and that he had received a number of emails in regard to the proposal for the meadows. He believed that any planning application would be considered very carefully by the planning committee.
- 114.6. Councillor Smith stated that he supported the petition and felt that any such development would lead to similar ones coming forward for other areas in the city known as the 'Deans'. He was unsure why the area in question had been left out of the South Downs National Park and believed that the opposition to the proposal was likely to get larger and hoped that the unique area would remain as it was.
- 114.7. Councillor Mears noted that Meadow Vale had originally been included in the boundary of the National Park but appeared to have been removed as it had become associated with Longhill School playing fields. She believed that this was something that needed to be looked into and clarified. She also felt that there were a number of similar areas on the fringes of the city that should be protected and that future housing developments should be directed to brownfield sites and/or consideration given to height levels in the city. It was an important issue and one she hoped that the council could get right.
- 114.8. Councillor Mitchell congratulated Mr. Wedd on his presentation and noted the strength of feeling that existed amongst the local community in relation to the matter. She suggested that it would be appropriate for the petition to be referred to the relevant Planning Officer so that it could be taken into account as an objection to the existing proposal.

- 114.9. Councillor G. Theobald stated that he believed the key was to get the City Plan approved so that any such proposals could be prevented from coming forward. He had raised his concerns with the Minister and urged the council to get the City Plan agreed with the Planning Inspector and should they turn it down, he was prepared to take it to the Minister.
- 114.10. Councillor Kitcat noted the comments and that the Conservative Group had previously voted against the draft city plan. However, he felt that the petition could be noted and referred to the planning officers so that it was taken into account as part of any consultation and objections raised, should an application be submitted to the Planning Committee.
- 114.11. The Mayor then put the recommendation to the vote.
- 114.12. **RESOLVED:** That the petition be noted and referred to the Planning Case Officer to be included with any other information that forms part of the consultation responses to a planning application that is submitted by Lightwood Developments in respect of The Vale Meadows for consideration by the Planning Committee.

115. WRITTEN QUESTIONS FROM COUNCILLORS.

115.1. 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 as detailed below:

(a) Councillor Cox

115.2. "With the welcome sight of the fountain in Victoria Gardens at last back in working order, what plans does the Council have for restoring the much more beautiful fountain in the Old Steine Gardens to its former and fully working glory in time for summer?"

Reply from Councillor West, Chair of the Environment, Transport & Sustainability Committee.

"Both the Victoria Fountain at the Old Steine and the Mazda Fountain in South Victoria Gardens are operational and have been since Easter. When the winds are high or there is persistent heavy rain the gardeners turn them off for a while to prevent water spraying everywhere and annoying the public. It is possible that Councillor Cox was there during one of these periods.

Pre-season commissioning works are done in early April each year and the fountains operate from around Easter until October and are drained down for the winter for safety reasons. They are sometimes turned off during the Brighton Festival if their operation interferes with whatever event is being held in the immediate vicinity."

(b) Councillor G. Theobald

115.3. "Brighton & Hove has a caravan site at Sheepcote Valley with 215 pitches, 124 of which are hardstanding. Will Cllr. West tell me why travellers who set up unauthorised

encampments in the city's parks are not directed to this site where all other visitors wishing to camp in the city would be expected to go?"

Reply from Councillor West, Chair of the Environment, Transport & Sustainability Committee.

"Thank you for your question. Officers have informed me that the power to direct Travellers to a site is a power available to the police under S62a of the Criminal Justice and Public Order act 1994. It is not a power granted to the Local Authority. The Local Authority can, as a landowner, request that the police use their powers under s62a to direct Travellers to a site. Under s62a (6) this must be managed by a Local Authority within whose area the land is situated or a registered social landlord. In the case of Horsdean the site is run by the Local Authority. The Caravan Club site at Sheepcote Valley now called Brighton Caravan Club is part of or associated with the Caravan Club and therefore not run by the Local Authority and is not a registered social landlord. The provision of S62a therefore does not apply and Travellers cannot be directed there.

Additional information below:

S62a

(5)The officer must consult every local authority within whose area the land is situated as to whether there is a suitable pitch for the caravan or each of the caravans on a relevant caravan site which is situated in the local authority's area.

(6)In this section—

- "caravan" and "caravan site" have the same meanings as in Part 1 of the Caravan Sites and Control of Development Act 1960;
- "relevant caravan site" means a caravan site which is-
- (a) situated in the area of a local authority within whose area the land is situated, and
- (b) managed by a relevant site manager;
- "relevant site manager" means
- (a) a local authority within whose area the land is situated;
- (b) a registered social landlord;
- "registered social landlord" means a body registered as a social and lord under Chapter 1 of Part 1 of the Housing Act 1996."

116. ORAL QUESTIONS FROM COUNCILLORS

116.1. The Mayor noted that notification of 8 oral questions had been received and that 30 minutes was set aside for the duration of the item. She then invited Councillor G. Theobald to put his question to Councillor Davey.

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116.2. Councillor Theobald asked:

"Buried on page 118 of the 2012-2013 budget papers was a saving in highways to the effect that no new yellow lines or signs would be allowed outside of control parking zones in the city. This has become a real bone of contention for residents in my ward and I suspect in the other outlying wards in the city who have had perfectly legitimate requests for new lines turned down by the Council. Will Councillor Davey confirm if this blanket policy remains in place in the light of the fact that several areas outside control parking zones now appear to be being considered for new parking restrictions?"

116.3. Councillor Davey replied:

"Well I'm sure you spotted that at the time but the work of developing new traffic regulation orders is time consuming and expensive, as I'm sure you're aware. Traffic regulation orders have to be advertised in the newspapers, which are quite expensive, officer development time and then there's the consideration of responses, the signing of lines and then the maintenance of lines. And as you know, the Council is under extreme pressure from central Government cuts and budget freezes imposed by partly your opposition, so yes it does remain exceedingly difficult to develop extra facilities elsewhere in the city, but the Council take a pragmatic response and where there are serious road safety issues of very heartfelt responses on very serious matters from residents supported by Councillors, such as the Roedean coach parking matter, we will do our absolute best to respond but we have to bear in mind that those are expensive and the Roedean coaching matter is costing several thousand pounds."

116.4. Councillor Theobald asked the following supplementary question:

"It's interesting that Councillor Davey talks about cuts and how painting yellow lines are expensive, it doesn't seem to be too expensive to paint 20mph mile signs all over the place. But, as the Council has been given a record local transport plan funding allocation for this year of £7.5 million on top of numerous other generous grant awards from the Government, such as better bus areas, local sustainable transport fund and national parks funding, will Councillor Davey now commit as part of the LTP4 process to put this before the Environment, Transport and Sustainability Committee, with a recommendation to reverse what appears to be a blanket policy which unfairly penalises residents living in areas living outside of the city centre."

116.5. Councillor Davey replied,

"Well I thought you would have understood by now that there's a big difference between capital one off funding, that the LTP is and revenue funding. But the capital funding budget that you agreed at P&R, just a few weeks ago, is being spent on capital renewal for the city and to make up for the lack investment from your administration, which cut millions and millions and millions out of the transport capital budget. Under invested on the seafront and leaving a dreadful legacy for this administration to pick up, so you agreed the budget that we put before the P&R committee and few weeks ago to address the legacy you left us and I'm very glad that you supported it at that time, so thank you."

116.6. Councillor Marsh asked:

"The Government has put on hold, for the moment, the role out of universal credit because the pilot has been so abysmal but there is no doubt that it will come and we will have to deal with it in this City. What preparations are being put in place to support residents to apply for universal credit?

As I'm sure Councillor Littman knows you can only apply online there is no other way of doing it. So I would be very concerned for the 40% of my ward who still do not have access to the internet because they can't afford it, to those people who have sensory difficulties, language difficulties who are older, like me and find twiddling buttons quite difficult who are ill etc. What I want to know is what we are doing, what plans are in preparation to support residents for the eventual online applications of universal credit?"

116.7. Councillor Littman replied:

"The problems with universal credit have become quite clear from the attempted role out the 2013 date has been put back to some time between 2015 and 2017. As far as financial inclusion is concerned, because that's really the topic that we're talking about, we are funding money advice and community support because the free legal representation has been withdrawn, we're investing in the Brighton Housing Trust and CAB, recognising the fact that most of the people who are reliant on welfare are women and children with the Government's welfare changes most especially the benefit cap hitting these groups negatively, particularly women.

We're also funding the Brighton Women's Centre to run a money advice service targeted at women and lone parents. We're providing funding to the Federation of Disabled People to ensure that disabled residents are supported regarding the particular issues that they face.

We've set up a Banking Forum which will be officially launched next month which engages banks with us in financial inclusion work. We're working with a wide range of partners from the YMCA to Quaker Social Action to Slice Bread a National Financial Inclusion Consultancy. We're looking to widen this work even further talking to organisations such as the Royal British Legion and the Macmillan Cancer Support.

We've allocated £100,000 to the East Sussex Credit Union to enable them to provide loans to financially vulnerable people. We're accessing money advice and skill building. We're directly supporting the credit union through our HR and Comms teams. We're working alongside of the Bishop of Chichester to encourage well known people to sign up to the Credit Union.

We've spent £355,000 funding a Community Banking Money Advice Debt and Education Service for financially vulnerable residents. It looks like the partners we will have in that work will be the Brighton and Hove CAB, the Money Advice Community Support, the Whitehawk Inn, Hangleton and Knoll, the Bridge, Unemployed Families Sensor Project and Toynbee Hall.

All of this work will help ready those who are on benefits, need benefits to survive; for the role out of universal credit. Finally on the point that you are making about digital inclusion; with these partners and others across the City we're helping to increase digital inclusion because as you point out quite rightly, the Government Strategy is to move to digital by default services, we've actually a Guardian Award for our Council Connect Sit Scheme where volunteers in libraries help people to get online."

116.8. Councillor Marsh asked the following supplementary question:

"How are we going to encourage commercial banks who don't wish to have as customers, people who will be on universal credit and are currently on benefits and don't welcome. How are we going to bridge that gap? Also instead of having benefits deducted at source so that residents can then budget, they will actually have everything just paid in and if they chose at the next stage to run off with it like put it on the horses then what kind of support we're going to provide there to steer people away and to make sure that pay day lenders don't cash in on this new change?"

116.9. Councillor Littman replied,

"The Basic Banking Forum, we're in discussion with, 13 banks. The Launch is next month, we don't know how many banks will actually sign up but that is one way of getting commercial banks in on this the other is the East Sussex Credit Union which we are funding where, as I say, we're giving funding financial advice for a whole range of different organisations at the end of the day what we're trying to do is make sure that the vulnerable people in the City are as financially robust as they possibly can be given the role out of universal credit which I think people on your bench and people on our bench have recognised as an utter disaster about to happen."

116.10. Councillor Summers asked:

"Following on from the deputation earlier, very ably presented by Mr Knight, I would like to ask Councillor Randall, as Chair of the Housing Committee, if he himself is familiar with the Brighton & Hove Estate Conservation Trust and the lease agreement made between the Trust and the Council in 2005, which would have then been under a particular administration of a party in this Chamber beginning with 'L', and if he is familiar, whether he agrees himself in principle that such council housing should be rented out at market rate, bearing in mind his own notice of motion at the last full council, which his own group supported and the other group beginning with 'L' supported and also bearing in mind the brand spanking new costing of living contract that a particular national party has promised to introduce if they form the next government, and that includes stopping families that rent being ripped off and helping them plan for the future with new, long term, predictable tenancies."

116.11. Councillor Randall replied:

"Well I am familiar with the trust that was set up to preserve those houses in public ownership, rather than making it possible for them to pass into private ownership, through the right to buy. I'm more familiar now with the detail of the cases being made by some of the residents about rents. I'm disturbed by what I've heard; we are talking to the trust about it. We did indeed have a motion before the last council meeting where we asking for rent controls, we didn't get to speak about it then, but I would say that I believe we should follow the example of Germany, France, the Netherlands and some American cities and introduce controls. What we're suggesting is, that the market rent is set at the beginning of a 5 year tenancy and in that 5 year tenancy, the rent should only be increased at the rate of inflation, there should be a cap on that in case inflation too high, as it did under the conservatives in the 1980's, I think it was.

So we don't want the inflation element to get out of hand. I would also say, I was at meeting, a Chatham House rule meeting, with Sir David Montague and others, to discuss his proposals to the Government for the future of the private rented sector and at that meeting, there were large investors saying they would like to see the introduction of some sort of rent control because they are aware, the institute investors, not everywhere is like Brighton, and in some parts of the country rents may go down. They want to see inflation related rent controls to protect their investment. So I am disturbed by what I've heard. We are looking at it and we will come back to you. Thank you very much indeed."

116.12. Councillor Summers asked the following supplementary question:

"We know the deputation is going to Policy & Resources and also that Councillor Randall himself sits on Policy & Resources Committee, so because of that, I would like to ask him if he would agree to look into the arrangements with the Trust, as it now stands in view of particularly, the serious concerns that the tenants have put and consider whether or not the trust is best serving the interest of the people that they're housing and whether or not those interests, basically the interests for them and also wider Stanmer Park context would not best be served if those properties were in fact brought back under the management and responsibility of the Council."

116.13. Councillor Randall replied,

"All I can say is that an officer review has already started, it will come back to P&R and we will look at it then of course. On your last point, I'm not sure. My fear is that the housing in Stanmer Park will pass into private ownership, they will then become rented properties, like more than 20% of the Council properties that have been sold in the City, already have done and I fear it could be a village of holiday homes. Thank you."

- **Note:** Councillors Mitchell and West having declared a personal and prejudicial interest relating to the matter detailed above withdrew from the chamber during its consideration.
- 116.14. Councillor Cox asked:

"Graffiti blights communities and hampers regeneration. A journey on, for example the number 5 bus, through Western Road and London Road reveals a whole series of buildings which have been scrawled with unpleasant and sometimes offensive graffiti. In particular at rooftop level along the first floor above the shops. What action is the Council going to take to have this criminal damage cleaned up?"

116.15. Councillor West replied:

"I share his concern about the impact that graffiti has in blighting the City and our officers work extremely hard continuously cleaning graffiti off public buildings and working with residents and businesses to get graffiti removed from private premises.

Officers provide advice and quotation to undertake work on behalf of residents in businesses and we also work with community groups on special clean-up projects like the work that is done with the Roundhill Society which Councillor Davey and myself and Councillor Deane are both very familiar because that's in our ward, where they hold regular clean up days supported by City Clean and we get to tackle the deeper issues that the regular service is unable to achieve and that's working extremely well with the local community.

The graffiti that you've specifically mention as I understand is at a high level and especially challenging to deal with and under our current budget pressures from Government cuts, maintaining an annual clean-up of graffiti like this is hard to achieve but I understand that this particular issue will be addressed by the end of June.

In order to do that we will need to hire the cherry picker and identify the premises owners and serve notice on them in order to attempt to recover the cost so we do need the cooperation of businesses and residents to help us achieve these things and I certainly look forward to this work being done and the full cooperation of those concerned."

116.16. Councillor Cox asked the following supplementary question:

"I'm particularly concerned about some of the properties which I believe the Council holds the freehold for and is collecting considerable sums of rent in. Just by way of example I think it is particularly bad in Western Road in the heart of the City in Councillor Kitcat's ward I believe, there is 'Phones for Us' and above there is scrawled all cops are a target, anarchist signs and obscenities. It's been there for at least 3 weeks and I don't see why we should tolerate it so I urge, in this clean-up Councillor West, perhaps that that particular stuff is cleaned off."

116.17. Councillor West replied,

"Our policy is to focus on offensive graffiti and we do act as quickly as we can, if it is at a high level and we do need the permission of private premises it can take us longer than we would hope to do so, in order to achieve what we need to do for the City but we do take it extremely seriously."

116.18. Councillor Pissaridou asked:

"I'm sure that everyone will agree that our parks and recreation grounds are jewels in the city's crown. Well-loved and well used by our residents and visitors alike. In 2010, money was made available by the previous national government under the Play Builders scheme for improving children's playgrounds. Brighton and Hove benefited from this and some playgrounds around the city were improved. Unfortunately, the source for this funding suffered in the cuts made by the coalition government, so there are no specific funds set aside to finish the program and a number of playgrounds were left to volunteer groups to find funding for improvement. In our ward, we're very fortunate to have dedicated residents who have worked tirelessly to raise funds to improve the parks and children's playgrounds, and have utilised any scrap of spare land for residents to use, whether it be playgrounds or gardening. Stoneham Park is a green flag park, which incidentally celebrated its centenary last year, as you know Madam Mayor.

In the middle of poets corner, and next to primary schools and as you can imagine, Stoneham Park is extremely well used by local residents, with vibrant community groups in the local area looking into improve and enhance the park in years ahead. Will Councillor West work with me and those groups in exploring potential funding options so we can make the most of Stoneham Park as a key asset in our community?"

116.19. Councillor West replied:

"It is absolutely correct that we, as a Council, are able to invest a considerable amount in a number of parks, due to a previous scheme that is now completed. We did make a great number of parks that much better but because we have very many and there's many communities who would like improvements, and we do have to maintain what we have as well, and service pressures make that extremely difficult as we go forward.

In the case of Stoneham Park, I'm extremely glad to say that work has already been going on about how we can actually get funding in to improve the park. I understand that £39,000 of Section 106 money, specifically for play at Stoneham Park has been secured, that there has been a consultation conducted by the friends of Stoneham Park, working with our officers and I have a copy of the report that they produced in March. There is a very interesting list of things that they would like to achieve there, that far exceeds the funding available but the will is certainly there. There are some sort of tensions about how one might wish to change the balance between the amount of tarmac and grass in the park, whether or not dogs should be allowed or excluded and then features that might appeal to teenagers who are not well served, especially girls, so do we need a skate park?

But then there's also for younger children the type of things we've seen at the Level, people's expectations have risen over those, like the musical play areas which are so popular there. So there is a lot to do, and we are certainly working with the community already on that and officers are going to write a proposal brief for the use of that particular funding and then work with the friends on another consultation on whether that plan is good and then continue to work to find other sources of funding in the future.

So it is a very positive position we are in already and I'm very glad that the Councillor has raised this point, and I'm sure she'll be working with the friends on the opportunities ahead of us now."

116.20. Councillor Pissaridou asked the following supplementary question:

"We have worked very hard to get all this funding and to try and match fund but my supplementary question is a little bit wider. From time to time, I have been approached by parents and carers and I think most councillors have, who raise concerns about the safety of some playground equipment in their local parks. Can you provide a

statement or can you get officers to draft a statement as to how the equipment is selected, how it is maintained and what you consider to be the responsibility and liability of the council and of parents to ensure their children's safety?"

116.21. Councillor West replied,

"I do know there is some older equipment in that particular park that is going to be looked at, so there will be assessment on that. Officers do assess the safety of equipment in other places to ensure that they are safe to use. We have a considerable amount of equipment, but that is certainly on their agenda to continue, it is obviously vital importance that equipment is provided and is maintained in a safe state. I won't be shy about this, I think going forward, the council has a difficulty with the level of the government cuts coming down, how we continue to maintain the standards of the things that we have, how we continue to invest in them to replace them and improve them. This is going to be a considerable problem into the future. We really need to see the change of heart from the government about the way it treats the local government and the way local government can serve local people properly."

116.22. Councillor Mears asked:

"At the recent Housing Committee meeting on the 20th April, we received a report updating the Housing Strategy which will incorporate the Student Housing strategy which was produced under my administration. The final Housing Strategy will be finalised by the end of 2014. The student housing technical background paper in the City plan is very detailed and well worth a read. We also had, in the last few years, a round 1500 purpose built planning permissions for Students and we also show the increase in student numbers over the last few years and the University of Sussex is proposing to expand by a further 5000 student by 2018.

The report also highlights speculative purpose built student housing over the last 3 - 4 years. As a location Brighton is ranked 3^{rd} following London, Kingston as having the best opportunities for student investment. So I'd ask the Chair of Housing how this administration proposed to balance a decline in affordable housing build alongside the increase in student accommodation."

116.23. Councillor Randall replied:

"You are right in saying that there has been a spread of student housing in the City and there are some already built and there are more in the pipeline. Brighton has two Universities and more than 30,000 students as you also said, the University of Sussex has expansion plans and I think you were at the briefing that I went to when we both questioned the housing implications of that and I don't think either of us were entirely satisfied that the University takes them as seriously as they might and it is of concern to me we also have about 5000 family homes now occupied by students.

The Universities of course bring great benefit to our City, in many ways they employ a lot of people directly, they support industries and culture through the City and they give the City a vibrancy which is, in my view, unmatched anywhere else in this County but there is that problem about housing and we of course would like to build more affordable housing but as Councillor Mears will also know that the possibility of doing

that in the future in the real sense of the word and the sense of social housing; it's getting more and more difficult.

We're going to open the Open Market Scheme soon which of course started under Councillor Mears' Administration, we're going to have a celebration there we might also have a funeral procession because there are 27 social rented housing units in there produced by housing associations and they might be the last that will be produced at social housing rents in this City. Hyde housing association have 3 more schemes on site at the minute one at the station, one at Hove Park and one over the Tesco store in St. James' Street, there is not one rented flat or house of any description in any of those schemes it is all shared ownership or outright sale.

Now in my view housing associations which is what registered providers are were not set up to provide housing for sale but they're doing it because the subsidy system has been changed so radically by this Government it's becoming impossible to do anything else. You can't build subsidised housing for people on low incomes without a subsidy and this present Government has taken away most of the subsidy and makes it very difficult for us. I'm sure that Councillor Mears will have a further question for me on this but I'm really disturbed about this, we are not building for the people at the bottom of the pile who need help.

Those flats that are being built have a market in the City, people will be prepared and glad to pay 80% of market rents, those who can afford it, and rents are very high in this City but those on low and modest incomes are priced out of the market. I put the question to Tory Minister at the conference, I couldn't get an answer, I put it to Councillor Mears, who will house the poor?"

116.24. Councillor Mears asked the following supplementary question:

"As we know the waiting list is nearly 19,000; with the lack of affordable housing coming forward from this Green Administration, although the Chair of Housing will probably say it's everyone's fault but their own. There is a big debate to be had in this City through planning around housing association builds and shared ownership because the point about rented accommodation needs to be dealt with right at the very beginning. The administration needs to be a lot firmer on what it has coming through planning for rented not just shared ownership.

And bearing in mind that the Final Housing Strategy will not be finalised until the end of 2014 can the Chair of Housing confirm that there will be a meaningful debate on student housing in the City as I have requested in the past sooner rather than later and not just wait for another strategy to be introduced?"

116.25. Councillor Randall replied,

"Well the debate is ongoing as part of the renewal of the Housing Strategy and I'm always interested to hear what Councillor Mears has to say on this because I know she has a genuine concern about housing." 116.26. The Mayor noted that the time set aside for Members' oral questions had expired and therefore she had decided to bring the item to a close and the remaining two questions would be held over to the next ordinary meeting of the council.

117. HEALTH AND WELLBEING BOARD

- 117.1. Councillor J. Kitcat introduced the report which had been referred from the Policy & Resources Committee meeting on the 1st May 2014. He was pleased to note that it had been fully supported at the Policy & Resources Committee meeting and drew Members attention to the clarification paper from the Monitoring Officer that had been circulated as part of the addendum papers. He also welcomed the partnership working with the Clinical Commissioning Group (CCG) and believed it would lead to better outcomes for residents in the city and therefore commended it to the Council.
- 117.2. Councillor K. Norman noted the changes detailed in the clarification paper and that there was a significant changes to how the council would procure services and welcomed the move forward to joint working with the CCG.
- 117.3. Councillor Wealls referred to paragraph 8.2 of the report and stated that he felt it was a sensible move but noted that the addition of 4 voting co-optees to the Children & Young People Committee would have an impact on how education matters were dealt with in the future.
- 117.4. Councillor Littman noted that the Council were being asked to agree the proposals as detailed in paragraphs 7 to 11.4 rather than 6.7 as was shown in the extract from the proceedings of the Policy & Resources Committee.
- 117.5. Councillor Randall welcomed the report and noted that matters had gone full circle with health functions coming back under the remit of the local authority. He also referred to paragraph 7.7 of the report and welcomed the recognition of the importance of the Arts in influencing the health & wellbeing of people.
- 117.6. Councillor Meadows stated that she had previously served on the Health & Wellbeing Board and noted the changes meant that it had become a very powerful body. Having been told it was the route that the council had to follow, she would wait with anticipation to see how well it worked but expressed concern over the democratic arrangements in relation to the committee system that the council had adopted.
- 117.7. Councillor J. Kitcat noted the comments and stated that the changes had resulted from deliberative debate between councillors and health colleagues. He also noted that the council had five Members in line with proportionality and that most other cities of a similar size only had 1 representative on their Health & Wellbeing Boards. He also noted that the Health & Wellbeing Overview & Scrutiny Committee had been retained. He accepted the point raised by Councillor Wealls but noted that previous Children's Committees had had co-optees and stated that it was important to have relevant representatives on the appropriate committees. He also suggested that the arrangements could be kept under review as part of the regular updates to the Constitution.
- 117.8. The Mayor then put the recommendations to the vote.

117.9. **RESOLVED:**

- (1) That the proposals set out in paragraphs 7 to 11.4 and appendix 2 to the report be agreed;
- (2) That the proposed changes would come into effect immediately after the Annual Council meeting on 15th May 2014;
- (3) That the Chief Executive be authorised to take all steps necessary, conducive or incidental to the implementation of the proposals, including entering into section 75 Agreements;
- (4) That the intention to provide system leadership, achieve greater joint commissioning and integration of services between the Council and the CCG be noted;
- (5) That it be agreed to keep the effectiveness of the arrangements under review; and
- (6) That the recommendations of the Independent Remuneration Panel regarding allowances for the Lead Member for Adult Social Services as set out in paragraph 9.2 of the report be agreed.

117. (A) AREA PANEL BOUNDARIES AND THE HOUSING MANAGEMENT CONSULTATIVE SUB-COMMITTEE

- 117.10 Councillor J. Kitcat introduced the report which had been referred from the Policy & Resources Committee meeting held on the 1st May for information following a request from the Conservative Group. He noted that the proposals agreed by the Policy & Resources Committee had followed a large amount of work with tenants and meant that there were a number of avenues for tenant involvement even with the removal of the Consultative Sub-Committee.
- 117.11 Councillor Peltzer Dunn referred to pages 19-21 of the addendum papers which outlined the record of the debate at the Policy & Resources Committee meeting. He accepted that there had been a consultation process with tenants and that the view that 4 Area Panels should be established taken on board. However, he believed that tenants had expressed a view at Area Panels and the last meeting of the Consultative Sub-Committee that the Sub-Committee should be retained. He supported this view and had been opposed to the sub-committee's abolishment as it had taken on board the wider views of tenants' across the city.
- 117.12 Councillor Wilson stated that she believed there were a number of opportunities for tenants to influence and engage with the council and that an element of duplication had been removed. She also drew Members' attention to the excellent report of the newly established Tenant Scrutiny and hoped that it would develop further.
- 117.13 Councillor Mears noted that the Housing Revenue Account meant that tenants' rents paid for consultation and that tenants representatives on the Consultative Sub-

Committee had not been actively involved because they felt that they had not been listened to. She believed the loss of the sub-committee was a serious step which meant that tenants' views could not be expressed and taken into consideration; and queried how this would be accounted for.

- 117.14 Councillor Randall stated that the proposals had been considered by the Constitution Working Group and Leaders Group. He acknowledged that Councillor Peltzer Dunn had been consistent in his opposition to the loss of the sub-committee; however the 4 Area Panels would receive information and be able to comment on reports going to the Housing Committee. There were also 2 City Assemblies each year, various sheltered housing groups, the high-rise action group, tenants associations and tenant scrutiny all of which could engage with councillors and the council.
- 117.15 The Mayor noted the comments and that the report had been referred for information and therefore moved that the report be noted.
- 117.16 **RESOLVED:** That the report be noted.

118. NOTICES OF MOTION.

(a) Food Banks

- 118.1. The Notice of Motion as listed in the agenda was proposed by Councillor Gilbey on behalf of the Labour & Co-operative Group and seconded by Councillor Daniel.
- 118.2. The Mayor then put the following motion to the vote:

"This council acknowledges the key role that foodbanks, operated by FareShare Brighton, play in helping those in food poverty across the City.

With recent statistics showing a 38% increase in the usage of these foodbanks in 2013, This Council resolves that a report be brought to the next Policy & Resources Committee to outline what options the authority has to further support foodbanks in the City, building on the recent collections of non-perishable food items at Council Customer Service Centres."

118.3. The motion was **carried**.

(b) Academies

- 118.4. The Notice of Motion as listed in the agenda was proposed by Councillor Shanks on behalf of the Green Group and seconded by Councillor Phillips.
- 118.5. Councillor Pissaridou moved an amendment on behalf of the Labour & Co-operative Group which was seconded by Councillor Lepper.
- 118.6. The Mayor noted that the Labour & Co-operative Group's amendment had not been accepted by Councillor Shanks and asked for the electronic voting system to be activated and put the amendment to the vote which was **lost** by 12 votes to 31.

	For	Against	Abstain		For	Against	Abstain
Bennett		X		Mitchell	\checkmark		
Brown		X		Morgan	\checkmark		
Buckley		X		A Norman		X	
Cobb		X		K Norman		X	
Сох		X		Peltzer Dunn		X	
Daniel	\checkmark			Phillips		X	
Deane		X		Pissaridou	\checkmark		
Duncan		X		Powell		X	
Farrow	1			Randall		X	
Fitch	\checkmark			Robins	\checkmark		
Gilbey	1			Rufus		X	
Hawtree		X		Shanks		X	
Hyde		X		Simson		X	
Jarrett		X		Summers			-
A Kitcat		X		Sykes		X	
J Kitcat		X		C Theobald		X	
Lepper	\checkmark			G Theobald		X	
Littman		X		Wakefield		X	
Mac Cafferty		X		Wealls		X	
Marsh	\checkmark			Wells		X	
Meadows	\checkmark			West		X	
Mears		X		Wilson	\checkmark		
				Total	12	31	1

118.7. The Mayor then asked for the electronic voting system to be activated and put the following motion to the vote:

"This council is opposed in principle to academy status as advocated by current and previous national governments and is therefore concerned that one of our secondary schools, Hove Park, is considering opting to become an academy.

This council believes that government policy to privatise education removes the ability of the local authority to fulfil its statutory duty of planning school places and supporting school improvement. We recognise the improvements that have been made in all our schools, and support parents and unions in calling for our community's schools to remain under the democratic aegis of the local authority."

118.8. The Mayor confirmed that the motion had been **carried** by 17 votes to 14 votes with 12 abstentions.

	For	Against	Abstain		For	Against	Abstain
Bennett		X		Mitchell			-
Brown		X		Morgan			-
Buckley	1			A Norman		X	
Cobb		X		K Norman		X	
Сох		X		Peltzer Dunn		X	
Daniel			-	Phillips	\checkmark		
Deane	V			Pissaridou	\checkmark		
Duncan	\checkmark			Powell	\checkmark		
Farrow			-	Randall	\checkmark		
Fitch			-	Robins			-
Gilbey			-	Rufus	\checkmark		
Hawtree	1			Shanks	\checkmark		
Hyde		X		Simson		X	
Jarrett	1			Summers			-
A Kitcat	√			Sykes	\checkmark		
J Kitcat	1			C Theobald		X	
Lepper			-	G Theobald		X	
Littman	V			Wakefield	\checkmark		
Mac Cafferty	V			Wealls		X	
Marsh			-	Wells		X	
Meadows			-	West	\checkmark		
Mears		X		Wilson			-
				Total	17	14	12

(c) Planning

- 118.9. The Notice of Motion as listed in the agenda was proposed by Councillor Mac Cafferty on behalf of the Green Group and seconded by Councillor Davey.
- 118.10. The Mayor then put the following motion to the vote:

"This Council resolves:

To request the Chief Executive to write to the CLG Minister, Eric Pickles and Planning Minister, Nick Boles;

- (1) Insisting they respect our communities and local democratic decision-making on planning matters;
- (2) Expressing our deep-seated concerns with the legal changes and the proven impact on Brighton and Hove including how communities are being locked out of planning decisions;
- (3) To insist government amend the NPPF by removing the presumption in favour of so-called 'sustainable development' at all costs;
- (4) Give our communities and elected Councillors the power to prioritise our City Plan and our own planning policies;
- (5) Call upon the city's MPs to join with us in lobbying ministers to hand back planning to the city's communities served by it and the city's environment protected by it."

	For	Against	Abstain		For	Against	Abstain
Bennett		X		Mitchell	\checkmark		
Brown		X		Morgan	\checkmark		
Buckley	\checkmark			A Norman		X	
Cobb		X		K Norman		X	
Сох		X		Peltzer Dunn		X	
Daniel	√			Phillips	\checkmark		
Deane	\checkmark			Pissaridou	\checkmark		
Duncan	√			Powell	1		
Farrow	√			Randall	\checkmark		
Fitch	\checkmark			Robins	\checkmark		
Gilbey	\checkmark			Rufus	\checkmark		
Hamilton	√			Shanks	\checkmark		
Hawtree	√			Simson		X	
Hyde		X		Summers	\checkmark		
Jarrett	1			Sykes	\checkmark		
A Kitcat	\checkmark			C Theobald		X	
J Kitcat	\checkmark			G Theobald		X	
Lepper	\checkmark			Wakefield	\checkmark		
Littman	1			Wealls		X	

118.11. The Mayor confirmed that the motion had been **carried** by 32 votes to 14 votes.

Mac Cafferty	1		Wells		X	
Marsh	\checkmark		West	\checkmark		
Meadows	1		Wilson	√		
Mears		Х				
			Total	32	14	

119. CLOSE OF MEETING

119.1. The Mayor thanked everyone for attending and then closed the meeting.

The meeting concluded at 8.05pm

Signed

Chair

Dated this

day of