

**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30pm 25 MARCH 2021****VIRTUAL****MINUTES**

**Present:** Councillors Robins (Chair), Mears (Deputy Chair), Allcock, Appich, Atkinson, Bagaean, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Phillips, Pissaridou, Platts, Powell, Rainey, Shanks, Simson, C Theobald, West, Wilkinson, Williams and Yates.

**PART ONE****116 DECLARATIONS OF INTEREST**

- 116.1 Councillor Druitt declared a personal but non-prejudicial interest in Item 125, Members' Oral Questions as the question from Councillor Fishleigh related to subsidise bus services and he was a Director of the Big Lemon Bus.
- 116.2 Councillor Phillips also declared a personal and non-prejudicial interest in Item 125 as she was Councillor Druitt's partner.
- 116.3 Councillor Lloyd declared a personal but non-prejudicial interest in Item 125, Members' Oral Questions which related to transport matter as he was employed by Sustrans but worked outside of the city.
- 116.4 Councillor Powell declared a personal and non-prejudicial interest in Item 136, Notice of Motion on RISE as her partner had completed some consultation work for RISE but not related to the contract in question.
- 116.5 No other declarations of interests in matters appearing on the agenda were made.

**117 MINUTES**

- 117.1 The minutes of the last ordinary meeting held on the 28 January were approved and signed by the Mayor as a correct record of the proceedings.

**118 MAYOR'S COMMUNICATIONS.**

118.1 The Mayor gave the following communications:

The 23 March marked one year since the first lockdown due to Covid-19. I visited All Saints Church on Tuesday to light a candle. Members will also be aware of the sad news that the former Mayor of Hove from 1989 to 1990, Margaret Adams has passed away, our thoughts are with her family. I would like to start the meeting by holding a minute silence in remembrance of all the people that are no longer with us.

A minute's silence was then held as a mark of respect.

118.2 I need to update Council on some procedural matters. I would like to confirm that I have agreed to take an extra report on the Pay Policy Statement 2021/22 which needed to come to Council for decision following approval at the Policy & Resources Committee on the 18<sup>th</sup> March. An extract from the committee and the report are detailed in the addendum one papers on pages 31 – 44.

118.3 I am also aware that a report on 2030 Carbon Neutral Programme was referred from the Policy & Resources Committee for information and is included in the addendum one papers on pages 45 to 94. I have also been informed that the Policy & Resources Committee deferred consideration of the Constitution report at its meeting last week. As such, there are no recommendations from the committee, and I have therefore decided to withdraw the item from today's meeting and agenda.

118.4 That deals with procedural matters and I now have some communications and I wanted to inform council that Plans for a remembrance event for the City are currently being discussed with my Chaplaincy the Interfaith Contact Group. I will keep the Council informed of progress and once a date has been confirmed and ensure that all Councillors are invited to the event.

118.5 As you will be aware March is Women's History Month, so I thought it was appropriate to let you know that a *Women behind the Plaques* tour has been prepared in anticipation of lockdown restrictions being lifted and will take place in June, July and August raising money for my charities.

118.6 In having regard to the Council's ambition to become carbon neutral by 2030, can I remind councillors that Saturday 27 March at 20:30 - 21:30 is Earth Hour, organised by the WWF (World Wildlife Fund). People are being asked to switch off their lights to show they care about the future of our planet, our shared home, and I hope you will join in. To find out more visit [www.wwf.org.uk](http://www.wwf.org.uk)

118.7 Finally, over the last month I have joined several staff team meetings to say thank you to teams that have continued to keep services going in challenging circumstances. The message that is coming across loud and clear is that everyone is very keen to get back to work and interact with colleagues.

**119 TO RECEIVE PETITIONS AND E-PETITIONS.**

- 119.1 The Mayor invited the submission of petitions from councillors and members of the public. He 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.
- 119.2 Mr Toyer presented a petition concerning the need for parking bays on Roedale Road.
- 119.3 The Mayor thanked Mr Toyer and stated that it would be referred to the Environment, Transport & Sustainability Committee and noted that one other petition was due to have be submitted by Ms Buzgya and stated that it could be referred directly to the appropriate committee.

**120 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.**

- 120.1 The Mayor reported that 6 written questions had been received from members of the public and invited Charlotte Harman to come forward and address the council.
- 120.2 Ms Harman asked the following question; I understand that the council's existing contract with Veolia means that it cannot recycle lower-grade plastics. Would the council consider trialling the recycling boxes offered by a company called Reworked?

Companies like Reworked offer recycling of fishing nets, PPE, as well as items that are deemed 'non-recyclable' and turn them into boards to become a variety of new long-term use items.

- 120.3 Councillor Heley replied; at Environment, Transport & Sustainability Committee last week, we agreed for a feasibility study to be completed to understand the costs of retrofitting our Materials Recovery Facility in order to collect and process Pots, Tubs & Trays, that low-grade plastic that is difficult to recycle. The results of this study will be brought to a future committee for a decision on whether changes should be made to enable the collection of PTT and lower grade plastics in the recycling stream in the city.

We are also waiting for further consultations from the government on various measures that will potentially have a significant impact on what is collected in Brighton & Hove and the types of materials used in the production of packaging and we would also like them to stop the production of this type of packaging at all.

Cityclean will pass on the details of Rework to Veolia as a potential customer should a decision be made to accept PTT and it would be interesting to know more about this company, particularly, whether they are able to scale up their volumes that would arise from collections in the city that have such a large scale. Also, we have fishing net recycling on the seafront, we have been with Leave No Trace Brighton.

If you would like to email me after this meeting, we can have a further discussion about it.

- 120.4 Ms Harman thanked Councillor Heley and confirmed that she did not have a supplementary question.
- 120.5 The Mayor thanked Ms Harman for her question and invited Malcolm Spencer to come forward and address the council.
- 120.6 Mr Spencer asked the following question; Ovingdean has seen a significant rise in visitor numbers and consequently rubbish. There are only four bins across a large area including the seafront, coast road, village and main parking areas.

Could new bins please be provided at these heavily used sites?

- 1) Multiple locations on Greenways: near the bus stop; Blind Veterans; along the parking strip
- 2) On Ovingdean Road, at the entrance to the farm
- 3) At the junction of Ovingdean Road and Longhill road, next to the farm gate.

The bottom of Old Parish Lane that links Ovingdean to Woodingdean.

- 120.7 Councillor Heley replied; Cityclean is completing a wholesale review of the bin infrastructure across the city. This includes increasing provision of litter bins and introducing options for recycling, where it is appropriate to do so.

Your question and your list of suggested locations has been shared with the Project Officer who is reviewing the Ovingdean area and will use this.

- 120.8 Mr Spencer thanked Councillor Heley and confirmed that he did not have a supplementary question.
- 120.9 The Mayor thanked Mr Spencer for his question and invited John Cole to come forward and address the council.
- 120.10 Mr Cole asked the following question; As a Green Party led Council why are the garden waste collections and the recycling waste collections consistently missed in Saltdean?

This is poor service and does not motivate residents to do the right thing and recycle responsibly. As the garden waste collection is an additional cost to residents, we are also being charged for a service we are not receiving.

- 120.11 Councillor Heley replied; I am very sorry to hear about the service disruptions that have recently occurred in Saltdean. We would like to, of course, have 100% of collections made on time and City Clean are striving to improve their performance in this area.

I know you said you have been complaining since 2019 but we have been particularly impacted this year by the pandemic which, I am sure, everyone can understand where operational staff needing to shield or self-isolate, and higher than normal levels of sickness.

I have some figures for you, according to City Clean the garden waste team have made 3340 collections in Saltdean this year, between 4/1/21 and 1/3/21, which makes the collection rate of 98.92%. Some of the 1.08% recorded as missed, will be due to blocked vehicle access, bins in wrong locations and the odd occasions whereby subscriptions have actually lapsed and would need to be renewed.

We are also being impacted by some vehicle breakdowns which has also affected recycling collections in other parts of the City. The fleet is ageing and will be replaced in coming years as part of the fleet replacement programme with new electric or hydrogen-based vehicles as they become available. We will also be investing in a new software ICT system to aid with the delivery of collection services. I happy to send you the figures I mentioned and do get in touch if you get a missed collection again and I will try and sort it out for you.

120.12 Mr Cole asked the following supplementary question; I do doubt those figures that were quoted, I would like to see them, because my own collection and anecdotally from our neighbours that beggars belief that they have collected 98%, I don't believe it (in Saltdean).

When the garden waste collection is missed it is never collected until the next regular collection day which means we have paid for a collection we do not receive. We then have to wait a further 2 weeks or take the garden waste to the tip, which is an unnecessary journey and is causing more pollution because I am going up to the tip in my car which I shouldn't need to do.

120.13 Councillor Heley replied that she was unable to give a full response and would provide a written answer after the meeting.

120.14 The Mayor thanked Mr Cole for his questions and invited Ben Benatt to come forward and address the council.

120.15 Mr Benatt asked the following question, It relates to the BHCC's 2030 Carbon Neutral Programme. I haven't seen the draft being officially released but it has been on the communication channels for Extinction Rebellion Brighton, someone has placed it on there. This question is on behalf of Extinction Rebellion Brighton.

We welcome the programme, but we have concerns about three key elements in particular:

First of all the reliability of data – in terms of the referencing, without proper references how can we confirm data used to formulate this plan is correct? It mentions using an application by ScatterCities to calculate data and it seems, looking at the application that you actually have to feed the stuff in so Brighton's fed that information it is not really a true source and we are concerned about the transparency.

We are concerned about the emphasis of the programme which doesn't biodiversity even though an ecological emergency has been declared around our planet. Biodiversity only gets 25 mentions compared to carbon which gets 162 and only really gets to page 111. It feels that the emphasis is very low, biodiversity elements are weak and lack specific targets.

In terms of the practical action proposed - Land-use carbon accounting and building sustainably are key elements to reducing emissions and yet the programme doesn't once mention the word 'requirement', it just speaks about 'guidance', so we are worried that it is going to be a not very hard hitting program and help to achieve any meaningful targets.

So XR Brighton concludes from viewing this draft that the plan appears to be seriously flawed and wonder if there is going to be a consultation process and if so, how can we get involved?

120.16 Councillor Heley replied, I am pleased to hear that you welcome the city council's 2030 Carbon Neutral Programme, and it was approved last week at ETS & Policy & Resources Committee. I have quite a long response for you which I will send as there are other questions still to be asked. However, on the consultation we are anticipating and expecting that individual projects within the 2030 Carbon Neutral Programme will each have a consultation so hopefully that helps.

120.17 Mr Benatt thanked Councillor Heley and confirmed that he had no supplementary question.

120.18 The Mayor thanked Mr Benatt for his questions and invited Nigel Smith to come forward and address the council.

120.19 Mr Smith asked the following question; The mandatory 5-year review of the City Plan and its Sustainability Appraisal, lacks a Transport Assessment Update for the Infrastructure Delivery Plan. The last annual monitoring Transport Assessment Update was in 2014.

With the well documented unplanned rise in congestion since 2014, it is very unlikely the City Plan's required housing developments can now be achieved sustainably, which invalidates City Plan Part 2 unless it addresses this.

When will you perform the obligatory Transport Assessment Update and publish it for consultation?

120.20 Councillor Osborne replied; A review of City Plan Part One has taken place in line with the National Planning Policy Framework requirement for this to take place within five years of adoption. That was undertaken in 2016, now five years later, the outcome was reported to TECC Committee in March 2021. As required by the NPPF, the review took the form of an assessment of the need for policies to be updated, rather than a full revision of the Plan. The review concluded that a full update of City Plan Part One is necessary, and this will be progressed after the adoption of City Plan Part Two in line with the timetable set out in the recently adopted Local Development Scheme. You can view this online at the city council's website.

Regarding City Plan Part Two, its main role is to implement the spatial strategy set out in City Plan Part One. Part One, included the transport evidence underpinning it, was examined and found sound by an independent planning inspector and adopted by the Council in 2016. The full review of City Plan Part One will be the right time to revisit and update the Strategic Transport Assessment.

- 120.21 Mr Smith asked the following supplementary question; In view of the history of incorrect data being used for the Old Shoreham Road and other transport determinations, does the Council agree that transport assessment update must be published as soon as possible if CPP2 is to have any credibility?
- 120.22 Councillor Osborne replied; I think I have basically answered the question beforehand. It is going to be in the City Plan Part Two adopted and then in the City Plan Part One, and at the City Plan Part one review that assessment update will be done and it will be carried out and I assume there will be a consultation on that, in line with how we do our consultations.
- 120.23 The Mayor thanked Mr Smith for his questions and invited Neil Williams to come forward and address the council.
- 120.24 Mr Williams asked the following question; Why is the Council supporting the destruction of a much-loved, healthy, mature tree in the Cliftonville Conservation Area in order to pave the way for a Planning Application twice rejected, specifically because of the presence of the tree, by both the Council Planning Committee and the Secretary of State?

The felling of this tree would be in direct contravention of Local Plan policy QD16 and cuts against the grain of current environmental research about the benefits of trees and plants to encourage wildlife, biodiversity and promote positive mental health within urban communities.

How is this decision justified?

- 120.25 Councillor Littman replied; Thank you for your question, Mr Williams. In Oliver Twist, Charles Dickens had the character of Mr Bumble proclaim, "The law is an ass." To what extent that is the case, has been hotly debated ever since. One thing is certain is that it is true that Planning law and other legislative frameworks often fail to match up nearly as clearly and as precisely as we would like. I'm afraid that is the case here. Members of Planning Committee who voted to refuse the Planning Application for the extension, on the basis of the amenity value of the tree, and the Government Planning Inspector who upheld their decision, believed that the tree should be protected. Planning legislation and the Local Authority's Policies QD16 and QD27 allow for that decision.

However, in order to refuse the application to remove the tree; received last month, the local planning authority would have to agree a Tree Protection Order being placed on that tree. Unfortunately for the tree, the legislative framework which dictates the criteria for the application of a Tree Protection Order is entirely separate to Planning legislation.

In order for a TPO to be applied, trees have to fulfil assessment criteria in accordance with what is called the Tree Evaluation Method for Preservation Orders. This structured assessment involves allocating points to the tree under consideration. The tree under threat at 12 Sussex Road was independently assessed by 2 BHCC Tree Officers both of whom scored the tree at a level where a TPO would not be defensible, as defined within the TEMPO guidance. This tree is highly valued by residents in overlooking

properties able to view the tree from elevated viewpoints but visibility from public places is a key element when considering TPO application. In other words, if we applied a TPO to this tree, it would be a misuse of a statutory tool and would not stand up to scrutiny. We would be open to a legal challenge which our experts believe we would lose, since such a challenge would be assessed on the basis of the TPO not as a Planning Application.

Since local authorities are not legally allowed to refuse permission for tree works or removal in Conservation areas, if the tree in question meets the criteria in terms of stem diameter, and there isn't a TPO in place, fundamentally, the relevant legislation leaves the BHCC Arboriculture service in a position where they cannot legally protect the tree from removal.

120.26 Mr Williams asked the following supplementary question; I guess your Dickens' quote is ringing loud in my ears at the moment. I find the lack of connection between the fact that this latest application to chop down the tree cannot be connected to the inevitable, subsequent, planning application that will follow. A very cynical strategy to undermine democratic process and exploit the disconnection between council departments. It is an attempt to isolate the unwarranted request to destroy the tree from this inevitable planning application it will follow. There is the 1983 Strategy that does value all trees. I am asking in the light of the Mayor's earlier reference to the Council's commitment to establishing a carbon neutral city to ask that you begin this by preserving this green corner, protecting this beautiful tree much loved, as you say, in the community and maintaining the amenity enjoyed by local wildlife and neighbouring residents.

120.27 Councillor Littman replied; I personally find the loss of any tree a tragedy and should the law allow us to protect that tree then I have no doubt that we would, but I believe that it doesn't. If you don't mind, I will finish with another quote "I think I will never see a billboard as lovely as a tree in-fact until the billboards fall, I will never see a tree at all".

120.28 The Mayor thanked Mr Williams for his questions and noted that was the last question.

## **121 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

121.1 The Mayor reported that five deputations had been received from members of the public and that he would invite the spokespersons to introduce their deputation and for the relevant Chair to respond. He noted that 15 minutes were set aside for the consideration of deputations.

### **(1) CLIMATE CHANGE & PLANT BASED DAYS IN SCHOOLS**

121.2 The Mayor invited Ms Alison Plaumer as the spokesperson for the first deputation to come forward and address the council. The deputation related to climate change and having plant-based days in schools in Brighton and Hove.

121.3 Ms Plaumer spoke on the deputation relating to the issue of climate change and having plant-based days in schools.

- 121.4 Councillor Hills thanked Ms Plaumer for her deputation and stated that she fully supported the aims outlined and hoped that the committee would give it full consideration.
- 121.5 The Mayor thanked Ms Plaumer for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the Children, Young People & Skills 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.
- 121.6 **RESOLVED:** That the deputation be noted and referred to the Children, Young People & Skills Committee.
- 121.7 The Mayor then invited Madeleine Dickens as the spokesperson for the second deputation to come forward and address the council.

## **(2) DEPUTATION CONCERNING HOSPITAL TRUSTS MERGER**

- 121.8 The Mayor reported that five deputations had been received from members of the public and that he would invite the spokespersons to introduce their deputation and for the relevant Chair to respond. He noted that 15 minutes were set aside for the consideration of deputations.
- 121.7 The Mayor invited Ms Madeleine Dickens as the spokesperson for the second deputation to come forward and address the council. The deputation related to the proposed hospital trusts merger.
- 121.8 Ms Dickens spoke on the deputation relating to the issue of the proposed merger of the Brighton and Sussex University Hospitals Trust and Western Sussex hospitals NHS Foundation Trusts.
- 121.9 Councillor Evans thanked Ms Dickens for her deputation and stated that the 2013 Health Scrutiny Regs explicitly exclude constitutional changes (such as mergers) from Substantial Variations in Service (SViS) scrutiny, unless they also involve service change. The BSUH position is that the merger proposals do not entail any service change, hence there is no statutory role for HOSCs in this matter. However, BSUH were happy to engage with Health Overview and Scrutiny Committee informally, and a senior management team from the hospital trust came to the December 2020 HOSC meeting. In this meeting they gave a long presentation and answered member questions. Minutes of this discussion are publicly available on the Council website.

Separately from this Adam Doyle (Chief Executive Officer – Sussex NHS Commissioners) and Marianne Griffiths (Chief Executive NHS Trusts for Western Sussex Hospitals and BSUH) have also met with the Chairs of all Sussex HOSCs to talk through the merger plans.

With this context in mind I'm not sure what benefit there would be to looking at this again at HOSC, given that it sits outside HOSC legal powers and that BSUH have already presented to the committee.

- 121.10 The Mayor thanked Ms Dickens for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the Health Overview & Scrutiny 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.
- 121.11 **RESOLVED:** That the deputation be noted and referred to the Health Overview & Scrutiny Committee.
- 121.12 The Mayor noted that the time allowed for the consideration of deputations had been reached and therefore confirmed that the remaining deputations listed on the agenda would be referred directly to the appropriate committee or held over for the July meeting following consultation with the spokespersons.

## 122 SCHOOL PLACES FOR CATCHMENT AREA CHILDREN

- 122.1 The Mayor noted that the Council's Petitions Scheme provides that where a petition secures 1,250 or more signatures it can be debated at a meeting of the full Council and said that he had been informed of one such petition for today's meeting. The Petition concerned school places for children in catchment areas and he called on Ms Anna Cole to present the petition.
- 122.2 Ms Cole thanked the Mayor and stated that she was representing a group of 62 families who all lived in the catchment area for Dorothy Stringer and Varndean schools. These parents simply wanted their children to be able to attend one of their local schools but had been allocated schools across the city which meant they would have to catch several buses and would be separated from their friends. A number had been allocated schools that were further away than other schools outside of the catchment area which also seemed unfair. However, the main concern was that it was felt Dorothy Stringer School should be able to take an additional 30 pupils above its number as it had in previous years and given that it was under capacity at present. She then read out some statement from the children affected by the decisions not to award places in the catchment area. She hoped that the matter could be reviewed, and appropriate action taken to enable the children to attend their local school.
- 122.3 Councillor Clare thanked Ms Cole for presenting the petition and stated that first and foremost she wanted to underline that understood that this has been a distressing episode for some families at a time of significant upheaval and uncertainty. She wanted to assure Ms Cole that councillors and offices were trying their best to alleviate the stress and fallout this has caused. There had been continued dialogue with the schools to see if a sustainable, long term solution could be found but currently it was not possible to have an additional class.

She noted that prior to national offer day the council had already reviewed whether it would be appropriate for bulge classes to be used to meet the demands within catchment. In considering whether bulge classes are appropriate and could be accommodated, the capacity of the schools to safely absorb additional pupils had to be considered, and of course this included consultation with our schools. Since 2018 both

Dorothy Stringer and Varndean schools have admitted more pupils when it's been possible to do so safely, and Varndean School has become permanently bigger as a result. Stringer had also agreed to expand but only on a temporary basis. The analysis of the schools and the council this year is different. Schools have admitted up to the published admissions number for this year. Varndean is experiencing ongoing disruption of the building works needed to provide for this expansion, works that were already funded to allow for additional classes to be absorbed safely.

On top of this, Dorothy Stringer is already still managing an additional 31 pupils going through the school from previous bulge classes. They have a number of teaching spaces that are too small to take bigger classes and this causes issues around both exam season, and some specific classes where there are health and safety requirements, like Design and Technology. They also have temporary classrooms on site.

This has meant the schools are in a good position to analyse from that real experience the impact upon existing and future pupils of growing the school still larger, and we have listened to that feedback and taken it on board. In conjunction with the schools and following cross-party discussions, the council has concluded that they should not absorb the numbers required on top of the additional numbers they have already taken.

I appreciate this is a difficult conclusion to hear for those affected. There has been some speculation that Dorothy Stringer could absorb additional pupils than is currently being managed. I'm afraid this has been followed up and is not the case. There are additional planning and practical requirements to be taken into account. These include timetabling, available staff, and very practical logistical implications such as overcrowding in the corridors, stairwells, the number of toilets and canteen facilities.

The impact on schools of taking additional pupils is more than providing temporary accommodation, and making individual class sizes bigger, challenging as that is. Dorothy Stringer school has highlighted from its experience that larger year groups have a detrimental effect on students' attitude to learning and progress. In larger classes the individual attention given to each child is reduced. This particularly affects lower attaining students who are working in significantly larger groups than the school would like.

The Council also has a responsibility to look at the situation of all schools in our city and to think about whether the bulge classes are needed for the city as a whole, and whether these additional resources are going to be needed going forward. Taking everything into account, we believe that making the schools even bigger is not going to be the right thing for all our schools or the city and in particular, for our children, especially in a year where issues of overcrowding have real implications for the health of pupils and staff.

While this is small comfort, it is very likely that some will eventually be offered places within the catchment, without requiring the schools to go above the PAN. Some pupils will be able to be taken off the waiting list when it is known what offers have been

accepted across the city. There is also a mechanism for the families of the children affected to challenge the decision via the independent Appeals mechanism.

However I do appreciate that for the young people and families involved understanding why the decision has been taken offers small comfort, which is why I give my commitment that we will support every child who has been impacted by the decision. I have discussed with council officers and requested that they invite all of those families affected for this September to meet and discuss their situation in the coming days.

Our schools' wellbeing service will also be supporting the transition, as they do for all year 6 pupils, and are putting in additional support for those affected. As I have already highlighted, I want to put steps in place to ensure we look at the long-term sooner, rather than later. Finally, I want to again thank you for your engagement on this issue and offer you both my understanding but also my assurance that we want a long-term, sustainable solution for children, young people and schools in our city.

- 122.4 Councillors Brown and Allcock acknowledged the difficulty and concerns raised by the petition and that there was a need to look at how the situation could be addressed in the future. However, it was not possible to increase class sizes and a decision had been taken this time by both the schools and the council. It was noted that the Working Group would be looking at the catchment area and it was hoped that changes to the process could be made for the future. The council took the well-being of its pupils seriously and the provision of high-quality education in the city.
- 122.5 Councillor Janio stated that he had listened to the comments and questioned why the situation could not be resolved, it was only a bulge that was going through the system and it could be addressed.
- 122.6 Councillor Clare noted the comments and stated that the situation had been looked at and unfortunately there was nothing that could be done at this stage, although the process would be reviewed and hopefully improvements made for the future.
- 122.7 The Mayor then put the recommendation to note the petition to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:
- 122.8 Councillor Mac Cafferty stated that the Green Group were in favour of the recommendation and this was confirmed by the Members of the Green Group;
- Councillor Platts stated that the Labour Group were in favour of the recommendation and this was confirmed by the Members of the Labour Group;
- Councillor Bell stated that the Conservative Group were in favour of the recommendation and this was confirmed by the Members of the Conservative Group;
- Councillor Brennan confirmed that she wished to abstain from voting on the matter;
- Councillor Fishleigh confirmed that she was voting for the recommendation;
- Councillor Janio confirmed that he was voting against for the recommendation;

Councillor Knight confirmed that she was voting for the recommendation.

122.9 The Mayor confirmed that the recommendation to note the petition had been carried.

122.10 **RESOLVED:** That the petition be noted.

## **123 CALL OVER FOR REPORTS OF COMMITTEES.**

### **(a) Callover**

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

Item 126 City of Sanctuary Reaccreditation

Item 127 Next Steps – Rough Sleeping and Accommodation During Covid 19  
Pandemic and recovery

Item 129 Health & Wellbeing Board Review Proposals for Agreement

Item 130 Members Allowances

Item 130 (B) 2030 Carbon Neutral Programme

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

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

Item 130 (A) Pay Policy Statement 2021/22

### **(c) Oral Questions from Members**

123.3 The Mayor noted that there were no oral questions.

## **124 WRITTEN QUESTIONS FROM COUNCILLORS.**

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

### **(1) Councillor Fishleigh:**

124.2 How many tickets have been issued for fly tipping at Saltdean Oval's recycling point?

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

124.3 36 Fixed Penalty Notices have been issued at the Saltdean Oval recycling point from April 2020 to 16 March 2021.

### **(2) Councillor Fishleigh:**

- 124.4 When will the people living in vans and the vehicles that are parked permanently at Black Rock, along Madeira Drive and East Brighton Park be moved on or given parking tickets?

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

- 124.5 Possession orders have been obtained in relation to Black Rock. Legal are preparing an application relating to Madeira Drive. However, the Court has imposed conditions on the possession order which does not allow us to enforce it while we are in lockdown. We will have to wait and see what the Government says in relation to the lifting of restrictions. Parking tickets were issued but this generated some very challenging behaviour from some of the van dwellers residing on Madeira Drive and it was not felt to be safe for officers to attend again unless accompanied by Police officers.

A possession order will also be sought to move the lived-in vehicles gathered at East Brighton Park; the order is likely to have the same condition that enforcement can only be taken once lockdown restrictions have been lifted.

Over the course of the lockdown people have been offered accommodation – no-one has taken up that offer - and there have been regular visits where health and welfare checks have been made.

All occupants of the vehicles have been told that they can be accommodated if they would like accommodation. There have been regular visits where health and welfare checks have been made and contact details provided should they have any welfare concerns.

**(3) Councillor Appich - EU Citizens:**

- 124.6 EU citizens legally resident in the UK are able to vote in the 2021 local elections in England. EU citizens currently retain their right to vote in local elections even though the UK has already left the EU, and do not required settled or pre settled status to be able to register to vote. Despite that, half of EU citizens resident in the UK are not registered to vote.

Given that we have two by-elections and the PCC elections in May, I'd like to know how we are encouraging EU citizens to register to vote.

I would also like an update on the numbers of EU citizens in the city who have applied for settled and pre settled status, how we are encouraging EU citizens to apply for settled status, and what assistance we are giving to people who are finding it difficult to apply or have difficulties in obtaining settled status.

**Reply from Councillor Gibson, Deputy Chair (Finance) of the Policy & Resources Committee**

#### 124.7 **EU Citizens – Registering to vote**

The ERO undertook the annual canvass from July through to February. Correspondence was sent to all properties in the city, via post and/or email, confirming eligibility to vote – including that EU electors can register to vote.

The ERO and RO's communications prior to the election will be encouraging all residents who are not registered to register. The BHCC website, paper registration forms sent by the ERO and gov.uk's Individual Electoral Registration Digital Service all confirm eligibility.

#### **EU Settlement Scheme Support in Brighton & Hove**

Migrant Help are continuing to provide advice in Brighton & Hove for vulnerable EU citizens who need help to register under the EU Settlement Scheme. Migrant Help adviser Charlotte Cheeseman continues to provide remote advice and application support across East Sussex & Surrey. Contact details can be found on the council's Brexit in Brighton & Hove online pages.

Voices in Exile are working with rough sleepers in the city as part of the Everyone In scheme to ensure they are able to apply to the EUSS.

The council have developed a programme of support with Brighton Chamber for local businesses to assist them with the changes related to Brexit. An event has already taken place highlighting the requirements of the new immigration system and the next event in April 2021 will focus on the new system and the EUSS:

<https://www.brightonchamber.co.uk/event/your-questions-answered-the-uks-new-immigration-system>

The council's adult social care team are working with immigration lawyers (Fragomen) to provide an advice session for care providers in the city on the EUSS and the requirements of the new immigration system.

The council are working with Seraphus immigration solicitors to provide free legal advice to EU citizens in the city through online surgeries and hopefully in some physical form in the future depending on COVID restrictions, which have impacted all EUSS support throughout the last year.

The council still awaits the Home Office guidance on what will constitute an allowable late application and is in contact with the Independent monitoring Authority for the Citizens' Rights Agreements (<https://ima-citizensrights.org.uk/>) to highlight emerging challenges and barriers to applicants applying to the scheme as well as sharing best practice.

#### **EU Settlement Scheme Communications**

The council has undertaken a number of communication actions to raise awareness of the EU Settlement Scheme in the city, through advertising and messaging through council and partnership networks:

- Latest news story (23<sup>rd</sup> March 2021) on EU Settlement Scheme - **Only 100 days remain to apply to the EU Settlement Scheme:** <https://www.brighton-hove.gov.uk/news/2021/only-100-days-remain-apply-eu-settlement-scheme>
- A postcard raising awareness of the EUSS and encouraging EU citizens to apply to the scheme has been distributed to all households in the city. This initiative has been welcomed by EU citizens and heralded as an example of good practice. Positive

feedback has been received from national campaign groups as well as a neighbouring local authorities who made contact to request permission to replicate the work.

- A video featuring Cllr Ebel, Chair of the Brexit Working Group, calling for EU citizens to apply to the EUSS has been widely shared on social media: <https://www.youtube.com/watch?v=-FUyfpRubo>
- EUSS adverts are being displayed on digital bus shelters citywide and posters have also been placed across the city.
- Editorial and adverts about the EUSS have featured in local, community magazines including:
  - Gscene
  - The Argus
  - The Scroll
  - The Brightonian
  - The Hovarian
  - The North Laine Runner
- The council's Brexit webpages provide information on the scheme including signposting to support as well as an aftercare section covering what EU citizens should do after they have applied to the scheme.
  - <https://www.brighton-hove.gov.uk/brexit-brighton-hove>
- Messaging on the EUSS will also be going to schools and nurseries in the city in the coming weeks.

Further communications are being planned as we get closer to the deadline on 30<sup>th</sup> June 2021 and potential resources to help EU citizens in the city access their online status – to assist with employment, housing and access to services – are being developed.

### **Brighton & Hove - EU Settlement Scheme Home Office Quarterly Statistics (February 2021)**

The Home Office release quarterly statistics providing the number of applications to the scheme. In February 2021 the Home Office reported that 26,550 EU citizens from Brighton & Hove had applied to the scheme so far. Available statistics are outlined below and the next release from the Home Office is expected in May 2021.

Home Office EU Settlement Scheme Quarterly Statistics  
Brighton & Hove

	28 <sup>th</sup> Aug 2018 – 30 <sup>th</sup> Sep 2019 (Released 7 <sup>th</sup> Nov 2019)	28 <sup>th</sup> Aug 2018 – 31 <sup>st</sup> Dec 2019 (Released 6 <sup>th</sup> Feb 2020)	28 <sup>th</sup> Aug 2018 – 31 <sup>st</sup> March 2020 (Released 14 <sup>th</sup> May 2020)	28 <sup>th</sup> Aug 2018 – 30 <sup>th</sup> June 2020 (Released 27 <sup>th</sup> Aug 2020)	28 <sup>th</sup> Aug 2018 – 30 <sup>th</sup> Sept 2020 (Released 26 <sup>th</sup> November 2020)	28 <sup>th</sup> Aug 2018 – 31 <sup>st</sup> Dec 2020 (Released 25 <sup>th</sup> Feb 2021)
Applications to the scheme	9750	14970	18690	20280	22140	26550

Granted Settled Status	4860	7550	9430	10380	11340	12690
Granted Pre-Settled Status	3140	5960	7640	8410	9550	11550
Other outcome*	70	120	220	280	440	570
Applications still in process	1680	1340	1410	1210	810	1740
<b>Nationality</b>						
Austria	60	80	100	110	120	140
Belgium	90	120	150	160	180	230
Bulgaria	310	430	520	570	620	750
Croatia	30	30	60	60	70	100
Cyprus	50	100	140	150	170	240
Czech. Rep.	180	330	410	440	470	540
Denmark	60	90	110	140	140	190
Estonia	40	50	80	80	90	110
Finland	80	130	160	170	190	210
France	650	1020	1290	1380	1510	1830
Germany	520	730	890	960	1050	1270
Greece	460	710	880	950	1020	1320
Hungary	530	810	980	1060	1120	1310
Iceland	20	30	40	40	40	50
Ireland (Irish nationals not required to apply but can if they wish)	20	30	40	40	50	70
Italy	1720	2680	3280	3510	3800	4420
Latvia	180	270	320	340	360	400
Lichtenstein	0	0	0	0	0	0
Lithuania	310	430	530	580	610	71
Luxembourg	Between 1-9	10	20	20	20	30
Malta	20	30	30	40	40	60
Netherlands	220	300	380	420	460	550
Norway	50	80	110	110	130	180
Poland	1030	1540	1950	2110	2270	2660
Portugal	510	780	930	990	1060	1210
Romania	600	900	1140	1340	1580	1960

Slovakia	210	320	420	450	470	530
Slovenia	20	30	40	40	40	50
Spain	1190	1980	2480	2660	2910	3390
Sweden	250	370	460	490	550	700
Switzerland	40	90	120	130	140	190
Non - EAA	320	480	650	740	870	1170
Sweden	250	370	460	490	550	700
Switzerland	40	90	120	130	140	190
Non - EAA	320	480	650	740	870	1170

Age Group						
Under 18	660	1050	1320	1450	1630	2120
18 to 64	8840	13550	16890	18330	19970	23810
65+	240	360	480	510	540	610

\*Other outcome refers to 'refused applications, withdrawn or void applications & invalid applications'.

#### (4) Councillor Childs – Housing sites in Freshfield Road:

- 124.8 Given the dire housing shortage in our city, what action will the Administration take to unlock the 10 priority housing development sites in our city, and in particular the Freshfield Road Industrial Estate site, for new homes?

#### Reply from Councillor Hugh-Jones, Joint Chair of the Housing Committee

- 124.9 Providing additional affordable homes is a key priority in our Housing Committee Work Plan 2019-23. This includes achieving 800 additional council homes and 700 other additional affordable homes. Since April 2019, over 220 additional rented council homes have been provided across the city. The council is projected to deliver up to 199 additional homes in 2021/22. Homes for Brighton & Hove, the council's partnership with Hyde, will deliver 346 homes at the first two sites, with work due to commence in Summer 2021. A total of 1,025 homes are projected to be delivered by partner Registered Providers between 2019 and 2023 (311 rent and 714 shared ownership).

With regard to unlocking priority housing development sites. Following the decision of Budget Council, we will be recruiting a project officer to work closely with colleagues across the council, Homes England, the industry and landowners on mechanisms to help deliver difficult housing sites.

With regard to Freshfield Road. City Plan Policy DA5 of the CPP1 identifies Freshfield industrial estate as part of the Eastern Road and Edward Street Development Area. The policy recognises that the Freshfield site is well occupied and only likely to come forward in the longer term.

While the council owns the freehold of the Freshfield Industrial Estate, it is let on a number of very long leases of 92 years and more. The council is unable to unilaterally terminate these interests.

There are only a few Industrial Estates in the City and a number of them are protected in the City Plan. The market has improved for industrial uses due to the increased demand and lack of space particularly over the pandemic where industrial warehousing/distribution space is at a premium. Given this council's commitment to community wealth building and the change in retail habits, people's ability to work from home and the housing crisis, we should be considering the potential for alternative uses for existing office space and retail units, including potentially as workshop space.

**(5) Councillor Allcock – Use and cost of Agency Teaching Staff:**

124.10 What were the costs of using agency teaching staff in the City's maintained and voluntary aided schools in comparison with directly employed teaching staff for financial years:

- 2018 to 2019
- 2019 to 2020
- 2020 to 2021

What agencies were used during these financial years?

Did the cost of using agencies vary, and if so what was the difference?

**Reply from Councillor Clare, Chair of the Children, Young People & Skills Committee**

124.11 Schools are responsible for decisions in relation to the management of their budget and staff and how they resource this. The Council holds some data related to this as part of finance information that we receive but the Council does not hold detailed information as each individual school will have this and they do not provide detailed information to the Council. We will send the figures to Cllr Allcock but the headline figures for each financial year are:

2018/19 - direct supply £1.2m - agency staff £3.2m

2019/20 – direct supply £1.2m - agency staff £3.5m

2020/21 so far – direct supply £1m - agency staff £1.7m

The current financial year spend only covers 10 months as the year has not ended yet, but this will be substantially lower than previous years, likely due to the fact that schools have not been open as normal during the pandemic.

The Council does not hold information regarding the agencies used by schools or the unit costs of those agencies. Please note that the figures for agency spend also includes non-teaching agency staff as this is not separated out in financial information, we receive but it is likely the majority of spend will be agency teaching staff.

Regarding the Council's Plan commitment around reintroducing a LA support teacher service, work has been undertaken to scope out a high level range of options in relation to this commitment and the next stage will be to engage with teaching unions and headteachers including gauging interest from schools and researching the costs and usage of using agency supply teachers in schools to understand the implications and benefits of an in house service and what the costs would be of different options.

**(6) Councillor Williams – No Recourse to Public Funds:**

124.12 Why has Brighton & Hove City Council been tangled up in court battles with regard to 'no recourse to public funds' rough sleepers? Can you explain the outcome of the recent court judgement and what Brighton & Hove City Council will be doing in the future for this vulnerable group?

**Reply from Councillor Hugh-Jones, Joint Chair of the Housing Committee**

124.13 Many thanks to Cllr Williams for her question which is no doubt for the benefit of anyone who missed my chair's communications at March Housing Committee.

NRPF refers to those who have had a no recourse to public funds condition imposed on their grant of limited leave to remain or enter the UK, or whom are failed asylum seekers. The NRPF condition does not, prior to 31 December 2020, apply those who are exercising an EU right to reside under the Immigration (European Economic Area) Regulations 2016 (as they do not need permission to enter or remain section (7(1) Immigration Act 1988)) or, post 31 December 2020 those that have a retained enforceable EU right through the EU Settlement Scheme.

There has been some discussion in the press recently of a case concerning a failed asylum seeker in Brighton who sought accommodation under the "Everyone In" scheme.

At the time the claim was initiated, the individual had not yet applied for accommodation via the Home Office, which in the view of the Council was where the primary statutory duty arose. The court accepted that argument at the first hearing, and he was eventually accommodated by the Home Office, where he remains.

The case then moved to be on a point of law which was in essence whether LAs had power to accommodate people with NRPF. The Claimants were seeking a direction that we had acted unlawfully by not considering that power. The court chose not to make that declaration. The council's argument was this was all academic since he was by now accommodated and it had not acted unlawfully but had followed the express position of the government that the position on NRPF remained.

A letter from the government dated 22 September reminded us that "Local authorities must ensure that any support offered to non-UK nationals who are not eligible for homelessness assistance complies with legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002)"

Many councils, including BHCC, called for suspension of these provisions for at least the duration of the pandemic but the government refused. This has been the root

cause of problems locally and we continue to push government to reconsider their inhumane approach to those who are restricted by the national immigration and asylum act.

What the court has concluded is that where there is a danger to life and limb- and where other duties (such as that of the Home Office) cannot resolve it- then there is a fact-specific power to accommodate.

We would ideally like the MHCLG to now clarify that where LAs are exercising such a power it falls within the funding allocated for “Everyone In” accommodation but we certainly welcome the court judgment on the point that we have powers we can use where it is appropriate. This is the minimum we want to see government offer councils to ensure better protection for those in need.

In addition to very limited powers the council may have, following careful consideration of individual circumstances, it is recommended that individuals consider applying directly to the Home Office for relief and that the council signposts to other specialist dedicated sources of support. As you will be aware, Housing Committee have also recommended that council officers work with the local community and voluntary sector organisations to provide clear information for rough sleepers with NRPF who the Council cannot accommodate, including sources of support and assistance.

Beyond this case, Green Councillors have slammed ‘discriminatory,’ rule changes that could see migrants deported if they become homeless, saying new rules will harm and undermine vital homelessness prevention work in the city.

Changes to immigration rules means rough sleeping can now be considered a basis for refusal, or cancellation, of permission to remain in the UK. Greens join many other political parties, homelessness and migrant support organisations in condemning the rule changes, affirming that work to help vulnerable rough sleepers in the city find secure accommodation will continue.

#### **(7) Councillor Williams – Madeira Drive:**

- 124.14 There is chaos on Madeira Drive. Pedestrians cannot socially distance due to ridiculously narrow paths and are forced to take their lives in their hands by just trying take a much-needed walk. What is being done about this?

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

- 124.15 Madeira Drive was initially closed between Dukes Mound and the Palace Pier Roundabout to facilitate walking and cycling for local residents during the very first lockdown. Although the closure was generally supported there were concerns from traders and blue badge holders as access was limited to changing places facilities and the beach, there were also safety concerns as some vehicles were authorised to access the route without requisite enforcement powers being available to the Police to enforce speeding, conflicts between cyclists and pedestrians or other traffic violations under the closure Traffic Order..

As on the 29th September, last year, approval was granted to commence detailed-design and the Traffic Regulation Order process to re-open Madeira Drive one-way eastbound, to improve Blue Badge access and parking capacity and to relocate the cycle track from the footway promenade onto the carriageway, therefore safely segregating cyclists from pedestrians, to improve both cycle capacity and pedestrian provision.

The first stage of delivering these improvements took place in October last year and has seen the re-opening of Madeira Drive one-way to address access issues for traders and blue badge holder as well as some of the immediate safety and access concerns. The Council are currently implementing the second phase of the approved scheme. This second phase will provide a clearly dedicated two-way, accessible cycle facility on the southside of the carriageway with reallocated parking. In relocating the cycle route onto the carriageway more space will be allocated to pedestrians and localised pavement widening will provide better pedestrian facilities enhancing social distancing opportunities.

These improvements are currently in their construction phase with planned completion in May.

The scheme itself will be implemented under an Experimental Traffic Order which will be advertised on the Councils webpages and on the highway once the construction phase is complete this will allow a further 6 month consultation opportunity before the results are reported, along with recommendations, to the appropriate Environment Transport and Sustainability Committee.

Furthermore, the Madeira Drive improvement scheme links directly with the Dukes Mound Development scheme which proposes further pedestrian enhancements including a formal pedestrian crossing on Madeira Drive at the east of Dukes Mound and localised footway widening.

To support these changes to Madeira Drive a Traffic regulation Order will be advertised proposing a reduction in the speed limit from 30miles per hour to 20 miles per hour, along the entire route between Palace Pier roundabout to Black Rock.

**(8) Councillor Williams – Housing Dispute:**

- 124.16 The dispute with housing repair workers transferred over from the former Mears contract has been rumbling on for some time. Can this council confirm that the present Administration is not anti-union and explain why this dispute is taking so long to resolve?

**Reply from Councillor Gibson, Joint Chair of the Housing Committee**

- 124.17 My thanks once again to Cllr Williams for bringing this question for the benefit of those unable to attend March's Housing Committee and for stepping in for Cllr Platts to sit on the recent Policy & Resources Committee which signed off the agreement reached.

The dispute related to a pay dispute that GMB lodged with MEARS before the transfer. That dispute transferred to the council when the service came in-house. There were some complex issues to resolve, and throughout 2020 there were detailed and constructive discussions with GMB to reach an agreement that maintained fairness and equality in our pay arrangements and resolved the dispute. Agreement was reached in January and an announcement made to that effect on the Council website on 26 January. Certain aspects of the harmonisation process then had to happen before the agreement could be signed off by Policy & Resources Committee – which, as you know, happened earlier this month.

We are now moving to implement the agreement, and to make an offer to all transferred staff to move onto council terms and conditions if they choose to do so. This process involves individual and collective consultation, but we are really pleased that all staff received offers of council terms and conditions by 19<sup>th</sup> March. We are currently carrying out extensive discussions with staff to ensure all questions are answered about council terms, ahead of 1<sup>st</sup> April when individuals will decide whether to accept the offer. As has been the case throughout, staff can choose to stay on their Mears terms and conditions if they feel these are more advantageous to them.

I am not sure what has prompted the enquiry about this administration being “anti-union”. I can absolutely confirm that this administration is not anti-union. Throughout the dispute, Cllr Gibson and I have sought to appreciate the union’s concerns and help break the deadlock. We were clear from the outset that we wanted to understand the history of the dispute, that emerged before our administration but also to listen to unions and work constructively to resolve it. We have had three or four in-person meetings (which, incidentally, is three or four more meetings than I have had with any member of my own family this last year) as well as a number of remote meetings with officers present and regular phone calls. Indeed, if there is any criticism to be made, it would probably come from officers who may feel we have been too “hands on”. Nevertheless, these meetings helped to highlight further issues and progress finding solutions. Far from being anti-union, we consider our unions to be a cornerstone of workers’ rights and many of our green group of councillors are members of unions or former employees in the trade union movement. Indeed it is Green Party policy to go far beyond mere support for trade unions: among many policies we advocate for that would give unions a greater role, we want to see every worker given the legal right to be represented by a trade union in dealings with their employer, no matter the sector; we want legislation that would mean all employers are legally obliged to recognise unions; we oppose and seek abolition of conditions and loopholes that unfairly restrict statutory union recognition. We also want to see the provision of education on the benefits of trade unions, in schools and in the community, so that people can learn of the benefits of unions. It is patently clear that the Conservative government has sought over many years to restrict the role of unions – moves we oppose.

More generally, we are committed to retrofitting the council’s own housing stock and encouraging homeowners and landlords in the city to do the same. This should create hundreds of new skilled jobs and potential new union members, so I look forward to continuing to work constructively with all unions over the coming years, and with our brilliant housing staff. Now the dispute is resolved we are looking forward to a more proactive engagement with unions to achieve our ambitious joint housing programme and expanding employment and apprenticeship opportunities.

**(9) Councillor Moonan – Vaccination Uptake:**

124.18 What has been the percentage vaccination uptake rate for the top 4 government priority groups in Brighton & Hove specifically, for the last three months? Why has there been a delay in meeting the 90% target rate for the over 80 age group? What percentage rates of Black and minority ethnic groups have accessed vaccinations across Brighton & Hove as a whole and at ward level, and how does this compare to national averages?

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

Across the Sussex COVID-19 vaccination programme, significant progress has been made since the programme launched in December, and thanks to the hard work of vaccination teams across all services thousands of people within our communities have been vaccinated. We achieved the first milestone in February to offer the vaccination to everyone in the first four priority groups, and we are on track to have now offered the vaccination to everyone in the nine JCVI priority groups by mid-April in line with the Government target.

In Brighton and Hove, more than 113,500 vaccinations have been delivered to residents in the city to date, including 109,000 first dose vaccinations. In the priority group of those age 80 and above, more than 87.9% of the population have now received their first dose, and appointments are starting to take place for second doses.

In terms of the uptake across the first four priority groups, there is publicly available data updated weekly by NHS England setting out the percentage uptake and the ethnicity of those vaccinated. The release of reportable data is controlled by the NHS. It is anticipated that the Council will provide some of the uptake data at Medium Super Output Area level on the Covid local statistics website. Across all four cohorts, the uptake within the public priority groups is higher than 80%. This data now brings those aged 80 and over together with health and social care workforce as a combined figure for cohort 2, and as a result demonstrates the need for continued focus across all partners to further uptake amongst care staff. Specific actions being taken here include direct contact with care homes and individual staff members to address concerns on a 121 basis.

We recognise from the data that there are some communities in Brighton and Hove where uptake could be higher, and this links to areas of deprivation and BAME communities. Targeted outreach work is taking place in the city to address hesitancy and challenge barriers such as transport and access. A roving service, with a team in an ambulance, is visiting communities and a bus is expected to go live this month. These models are working directly with communities to provide supportive environments for those eligible to receive their vaccination and since they launched at the end of last week, we are already seeing positive engagement and an increase in vaccinations. The NHS and Brighton & Hove City Council is also working together on a focused communication campaign to promote the vaccination programme, increase uptake and provide a range of materials tailored for communities across the city.

**(10) Councillor Janio**

- 124.19 Has a Safety Audit been completed for the Temporary Cycle Lanes on the Old Shoreham Road?
- a. If a Safety Audit has been completed, are the published plans for work along the Old Shoreham Road designed to reverse any negative findings within the report?
  - b. If a Safety Audit has not been completed – why not?

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

Yes, I can confirm that a Road Safety Audit was undertaken, however it didn't identify any major concerns, although it did include a few recommendations to improve safety along the cycle route such as improved signage which has been carried out, there are also longer term improvements that will be considered should phase 2 of the Scheme go ahead.

**(11) Councillor Janio**

- 124.20 Has a 'Sustainability' report been completed for the Temporary Cycle Lanes on the Old Shoreham Road and, given the increase in traffic congestion at the junctions, why have portable pollution monitors not been placed along the Old Shoreham Road to detect any increase in emissions, which are certain to increase to even higher levels than those reported now, as we move out of lockdown?

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

- 124.21 There was no specific requirement for a sustainability report for the temporary cycle lanes and therefore no air quality data is currently available, however officers are arranging permanent monitoring areas along the Old Shoreham Road and will be put in place in the near future. We want to provide residents safe areas where they can choose safe and sustainable transport to help improve safety and air quality. We have evidence that this works from many transport schemes nationwide. by creating a safe, sustainable alternative to the car, while this can create an initial increase in traffic, in the medium to long term it creates safer and cleaner streets. As people find that alternatives to the car like walking and cycling improves health, improves fitness, improves air quality, improve the safety of our streets and our city.

**(12) Councillor Janio**

- 124.22 Does any government 'Emergency Covid Guidance' exist that allows for Sustainability Assessments to be either not completed or ignored whilst designing and implementing local transport schemes?

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

124.23 We are not aware of Sustainability Assessment guidance contained within current Emergency Covid Guidance. However, it is worth noting that the Active Travel measures that have been implemented are by their very nature an attempt to provide more sustainable travel choices and improve our streets long term.

**(13) Councillor Janio**

124.24 To be certain that the proposed permanent cycle lanes on the Old Shoreham Road will not lead to even greater increases in gaseous and Carbon emissions, have officers suggested to councillors within the administration that a monitoring plan of the currently configured temporary cycle lanes should be considered, once lockdown has ended, before the temporary scheme is made permanent?

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

124.25 No current plans exist to make the temporary scheme permanent and will need to undergo further consultation if plans and funding emerge. The cycle lanes along Old Shoreham Road were put in place as emergency works as part of providing additional active travel capacity during the Covid-19 lockdown, however we will have more time to assess the impact of any further measures. We have just finished consultation with thousands of residents across the city, for which officers are currently assessing the feedback for and monitoring plans will be in place for any further alterations. Officers will put their findings together which will be presented to ETS Committee and put to a vote. However, as I say, any permanent plans for these improvements would need further consultation and not be part of this process.

Following a great deal of interest in transport data for the Old Shoreham Road, I would like to clarify the situation from the council.

The council has in place permanent cycle counters on the Old Shoreham Road, these are located at Avondale Road (Site 974), The Upper Drive (site 975) and Aldrington Avenue (site 976). Site 976 was put in place in September 2020, the other two sites have been in place for a number of years. The data for all of these sites is available publicly and can be found on our website by searching 'traffic counts' to navigate to the traffic count webpage and then clicking on the Google Map link.

Following a recent Freedom of Information (FOI) request, we provided the enquirer with the data the council holds for these permanent cycle counters in this area. This is the standard procedure for requests. Due to IT issues with obtaining and analysing the data from the data provider, this data took longer than expected to obtain and the response was unfortunately late.

The council also occasionally collects temporary cycle count data for scheme-specific purposes, this is not collated centrally or published in the same way as the permanent count data. The Department for Transport (DfT) also carry out traffic counts nationally, these are published on their website. For the Old Shoreham Road, DfT had carried out a temporary (7-day) traffic count near Lullington Avenue in June 2016. The council had also carried out a temporary (7-day) traffic count at Lullington Avenue in July 2020.

These datasets were not originally provided with the FOI response however we have since apologised and sent this data to the enquirer. The data from these datasets has been used to show levels of cycling along Old Shoreham Road – from 339 cyclists per day on average in June 2016 to 545 cyclists per day on average in July 2020 – a 61% increase in cycling levels. This data has been used in council documents including the Tranche 2 bid for the Emergency Active Travel Fund (EATF) in August 2020, and the September 2020 report for the Environment, Transport and Sustainability (ETS) committee alongside a range of other data.

Regarding the Tranche 2 EATF bid, the figures from the temporary cycle counts were used. While some key information was included in the bid (number of cyclists per day in 2020 compared to 2016), some of the specific details of the cycle counts (specific dates, duration and specific location of counts on the Old Shoreham Road) were omitted. This was an unintentional oversight and it was therefore entirely appropriate for us to go back to DfT with these clarifications, which we have now done.

All of the data mentioned has been accurate and we have in no way intentionally withheld or manipulated data.

Now that we have successfully received funding from DfT for the Active Travel Fund, we are developing further plans for comprehensive monitoring of schemes in future, which will be funded by DfT.

#### **(14) Councillor Wilkinson**

##### **Cycle Hangars**

124.26 Are there any plans to install cycle hangers across the city and if so how many cycle hangars will be installed/are estimated to be installed across the city in 2021/22, 2022/23 and 2023/24 and could you explain what the methodology is of choosing locations for those cycle hangars?

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

124.27 At Budget Council a £500k capital allocation was provisioned for providing circa 100 Bike Hangars across the City, alongside a £20k revenue allocation to develop a Business Case and methodology for the proposed rollout and potential future capital and revenue implications for providing these facilities. Further details relating to rollout and locations will be identified following allocation of a project officer and completion of the Business Case.

#### **(15) Councillor Wilkinson**

##### **Funding for Green Spaces and Growing Projects**

124.28 I am keen to ensure that areas in my Central Hove ward get proper funding for green spaces and growing projects that benefit the whole community. Can you provide details of planned investment, including the use of section 106 monies, in any green spaces and projects in my ward in the coming year?

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

124.29 Cityparks provides maintenance to public areas across the city as evenly as possible. In the Central Hove Ward this includes Hove Lawns and the grass verge on Grand Avenue.

An officer met with Councillor Claire Moonan last September 2020 to explore green spaces improvements and identified two potential schemes which require a Project Officer to progress.

Cityparks are currently recruiting two new Project Officers this April to assist with the expenditure of section 106 money and who could directly assist with your Ward.

We would hope that once the Project Officers are in post, an agreed improvement plan can be developed, along with a timetable for delivery.

Unfortunately, at present it is capacity that slows down identifying funding, developing projects and implementation initiatives which Cityparks are sure all Councillors can appreciate.

Cityparks have successfully recruited two new tree officers to assist with tree planting. This additional resource working with the Plant Your Postcode initiative and others, may also provide an opportunity for tree planting to the streets of Central Hove.

**(16) Councillor Wilkinson**

**5G Upgrades**

124.30 Will the Council ensure that residents living near telecommunications aerials are fully informed, even when their consent is immaterial, before any upgrade to 5G?

**Reply from Councillor Littman, Chair of the Planning Committee**

124.31 Under planning rules, the installation of telecoms equipment may not always need permission, some can be installed under what is called permitted development – this is when planning permission is not required. In such circumstances, though the operator does notify the Local Planning Authority, there isn't a requirement to notify neighbours. I can confirm that officers have agreed to explore the option of displaying a site notice in these circumstances to make residents aware of the notification. It will also need to make clear, however, that there is not a right of objection under government rules.

The two other categories are prior approval and full planning permission, both of involve consultation rules set nationally and expanded on locally in the adopted Statement of Community Involvement.

So, for planning applications and prior approvals – normally required for larger installations - letters are sent to residents adjacent or immediately opposite, a site notice as displayed and the proposal will be in the weekly list of applications. If the application is in a Conservation Area it will also be listed in the Evening Argus.

**125 ORAL QUESTIONS FROM COUNCILLORS**

- 125.1 The Mayor noted that 17 oral questions had been received and that 30 minutes were set aside for the duration of the item. The Mayor then called on Councillor Platts to put her question to Councillor Osborne.
- 125.2 Councillor Platts asked the following question the developers of the Brighton Gas Works Site are proposing to build 6 to 7 hundred homes and state that this development will contribute to the local housing need of 13200 homes. However, they have so far been unable, or are unwilling to say how many of these will be affordable. What will the Leader of the Council do to ensure that any future development of the site can include 40% of the housing that is genuinely affordable to local people?
- 125.3 Councillor Osborne replied, I know it is a particular question to the Leader of the Council, what I can say is that we have targets that we will try to meet and it depends on the particularly planning application once it comes in, and that planning application hasn't come in as of yet. We are waiting for that to come in in the summer and once it is in we will be able to assess that and do our best to try and push the developer into giving as much affordable housing as is possible. If it is a particular question to the Leader of the Council, and what he is going to do, I am sure that he can give a written response to you afterwards.
- 125.4 Councillor Platts asked the following supplementary question, Local residents are very concerned that current for the gas works site will be overdeveloped and marketed to line the pockets of overseas investors and property speculators who will leave properties empty for much of the year creating a monolithic and soulless environment. How does the Leader of the Council think that the proposed development will benefit the local community?
- 125.5 Councillor Osborne replied, Again, as this is a specific question to the Leader of the Council, I am sure you can get a response. But it is National Planning Policy Framework which the Council has to abide by as well as the Local Plan and so it depends exactly what happens with that application once it is brought in and that can be scrutinised and whoever is actually coming in to i.e. the inhabitants and how the developer fills that application as per the Housing Strategy but it is the National Planning Policy Framework that we have to stick by.
- 125.6 Councillor Bell asked the following question, Given the shear level of frustration and anger which we have seen tonight and I am sure all of us have had in our emails, upset by parents and pupils alike over the issue of the misplaced 62. Given the long period over which councillors of all parties have worked together on this subject in good faith, what more should have been done? What could still be done to keep parents apprised of the likely situation they find themselves in and fast can we deal with the appeals?
- 125.7 Councillor Clare replied, on appeals it is an independent process which we don't have much say on I am afraid, but I am sure that the independent appeals process will be dealt with very promptly. In terms of what can be done at this stage I have seen a letter

which I can forward to you that the Brighton & Hove Inclusion Service have sent or are going to send to affected families outlining the support that they can give them and making sure that they put that right support in place now. As I have also said officers will organise a meeting with affected families over the coming weeks to discuss with them so that will be in place. We have looked at how officers dealing with school admissions queries can respond in a consistent way as well and I will ask them to make sure they are doing that, and, of course, if any families do have any things that they can specifically say that wasn't on their original application that would mean that they would fit into one of the priority categories when we do the re-allocation we can do that. The admissions booklet did highlight the risk of catchment areas in multiple places and parents were asked to confirm that they had read that when they applied but I think right now we need to look to the future so as your colleagues have said, we have agreed on the cross party working groups that we will look at catchments in the future and there will be a paper coming to June's CYP Committee on how we consult that in a clear, transparent and effective way and I look forward to being able to share that with colleagues.

- 125.8 Councillor Bell asked the following supplementary question can Councillor Clare explain why we have 15 children from Brighton & Hove being schooled outside the city in Peacehaven & Seahaven Academy but we have 45 East Sussex residents who are sending their children to schools in Brighton & Hove who come from Peacehaven, Newhaven and Seaford? At least in the spirit of community the children can wave at each other as they pass each other on the buses. How has this been allowed to happen, bearing in mind the misplaced 62?
- 125.9 Councillor Clare replied, we work with East Sussex across the border to provide places and look at the parental choice that people have put in place so I don't know on this specific example. I do know that students in East Sussex have been offered places within our schools, that is something that we do every year. I think perhaps schools may have been under subscribed and had places, but I am happy to look into it as I can see it is a ward issue for you with officers and get you a written response as I am not clear on the detail on that.
- 125.10 Councillor Wilkinson asked the following question, at the ETS Committee on Tuesday 29 September 2020 Labour called for a pause on the further urgency transport measures across the city to allow for meaningful consultation, so that local residents can have their say and influence the next round of changes. We said that we need to consult with all our residents, businesses and stakeholders on the current temporary transport changes as well as the potential future changes to roads, such as The Old Shoreham road. I am pleased that this pause occurred, and that consultation took place and concluded on 14 March this year. Can you please update me, and the city, on the progress being made to collate the findings of the consultation and will you agree to present these at the earliest opportunity?
- 125.11 Councillor Lloyd replied As you know, we approved the Consultation Plan for the Active Travel Fund schemes at a Special Meeting of the Environment, Transport and Sustainability (ETS) Committee in December. Following this, a consultation took place from 1 February 2021 to 14 March 2021 (6 weeks), the consultation covered four of the active travel schemes including the two temporary schemes on Old Shoreham Road and the Seafont. This consultation has now closed, and the results are quite

extraordinary there are over 5,000 responses and they are still being collated so we don't have any results yet. The results will be presented to the ETS committee on 22 June 2021 and we will decide then how to proceed based on that.

- 125.12 Councillor Wilkinson asked the following supplementary question, it is absolutely right that our residents are re-assured that their voices have been listened to in this consultation, that meaningful consultation has occurred they need to know this. Therefore it is with concern I read in the press today that Brighton & Hove City Council has written to the Government to say it was an unintentional oversight to not include dates used in a claim that The Old Shoreham Road cycle lane has seen an increase in use. The Council said, "we were made aware as we said in our original bid that we hadn't included certain clarifications, date, duration and location of counts, were quoting for The Old Shoreham Rd". I must add that the press reports quote the Council "it is therefore entirely appropriate to go back to the Department of Transport with these clarifications which we have now done". Do you agree that some residents in our city have concerns as to how data has been presented on this matter and that confidence in the recent consultation may be seen by some to be undermined by these events. And can you give further assurances that such oversights will not occur going forwards?
- 125.13 Councillor Lloyd replied, I think it is very disappointing because there has been absolutely no manipulation of data and the data is accurate. The Council has collected temporary cycle lane data from traffic schemes for a long time. It is not collected centrally or in the same way as permanent count data. The Dept For Transport also carries out traffic counts nationally, and these are published on their web site. For The Old Shoreham Road the DFT has carried out temporary seven day traffic counts, on Wellington Avenue in 2016 and the Council also carried out a seven day traffic count at the same place in July 2020.
- 125.14 Councillor Nemeth asked the following question, when consulting on emotive subjects, the mark of a successful consultation is a high response rate, and a clear outcome and Councillor Peltzer Dunn and I found this out when we carried out the City's most comprehensive ever parking survey in our own Ward. The response rate was over 50% and the answers were clear, comment boxes were full. Given that there are a staggering 24 questions just on the Old Shoreham Road cycle section of the Council's 'Changes to Travel and Transport in the City Questionnaire, and not a single question that will give data on whether people actually want the lane, I am expecting an abysmally poor response rate and an unclear outcome. So, bearing in mind the response rates of over 50% are achievable what sort of eligible respondents replying will you be able to market success on this one?
- 125.15 Councillor Lloyd replied, I would say 5000 people responding is a very good response rate and I think it is one of the most successful response rates we have had from a consultation. I would also need to remind everyone that consultation is not a referendum. If we are given £2.6m to put down optic cable of course there would be consultation about it, but the question shouldn't be should be have fibre optic cable or not, it should be an absolute given that children have safe cycle routes to school and it is amazing that we are having to debate it, and even defend it. I think the consultation has been extremely wide-spread and I will need to re-iterate, we were never consulted on Traffic into the City, 75 million extra miles driven since 2010 in the city. We have

consulted on the active traffic schemes and we will be reporting those to the June ETS Committee.

- 125.16 Councillor Nemeth asked the following supplementary question, sounds like the response rate is going to be in the low single figures but my supplementary, and it might have been pre-empted is – Was not asking people if they actually wanted the changes, as proposed by the Conservative group an oversight or was it deliberate.
- 125.17 Councillor Lloyd replied, there was no deliberate, what we did was provide consultation and we used the BFT Framework and we shared this with ETS Committee and it was signed off and therefore we were very happy with the consultation and the way it was formed and it was designed so that people could give constructive feedback about the projects i.e. it was not a question “Should we have safe cycling and walking infrastructure for children and everyone else?” because that should be a given, it was about the actual ‘nitty gritty’ as to how those things should be delivered.
- 125.18 Councillor Fishleigh asked the following question, when will the bus services that are subsidised by the council be reviewed and can the ward councillors for Rottingdean Coastal be part of that process please?
- 125.19 Councillor Heley replied, current contracts are due to expire in September this year and A report is due to be presented at June ETS on the continuation of these services and to also provide an update on the bus market recovery from Covid-19 and yes, longer-term, there is an opportunity to review the subsidised services and ward members will be invited to be involved in this process
- 125.20 Councillor Fishleigh asked the following supplementary question, the report that is going to ETS in June, will there then be an opportunity at that stage to review the routes out here or do I have to wait for the longer-term review? You mentioned 2 reviews so now I am a bit confused.
- 125.21 Councillor Heley replied, I think there will be so we can chat about that before.
- 125.22 Councillor Janio asked the following question, from the responses to my written questions it is clear that extensive engineering work is being considered for the Old Shoreham Road and it is going need a lot of extensive safety mitigation measures which is agreed to in the written answers. Additionally, it appears that no sustainability report has been produced and this is incredible for a Green administration, no air quality data has been measured and there are no real plans to put any in place. Will you agree with me that the Old Shoreham cycle lanes have been a disaster for both the residents and the road users an, that the Old Shoreham temporary cycle lanes should be removed immediately.
- 125.23 Councillor Heley replied, no, I do not believe we should tear up the Old Shoreham Road cycle lane, I do not believe any cycle lane should be torn up. The provide a safe route for children to get to school, and we know children are using the Old Shoreham Road cycle lane to get to school. Admittedly few have in recent months because the schools have been closed. The principal remains which is ‘for years traffic has dominated this city and many other cities around the UK and, as I mentioned earlier, traffic miles in the city have gone up by 75 million since 2010. The number of cars on

our roads have nearly doubled since 1990 and the cars themselves have become enormous. All of that happened without any consultation whatsoever. I believe, and so do my group, the Green group of councillors, believe passionately in the rights of anyone to be able to travel safely without the car if they want to and the Old Shoreham Road represents the piece in the puzzle of how we deliver safe cycling and walking infrastructure throughout the city, tearing it up will not solve that problem, it is part 1 of what should be a much greater plan, and that plan will involve a completely integrated cycling network that can be used by wheelchair users so that mobility cyclists aged 12 should get to one side of the city to the other safely, which is completely impossible at the moment, and will be even more impossible if we pull out cycle lanes just a few months after we have put them in.

125.24 Councillor Janio asked the following supplementary question, will you agree with me that given we are in the middle of a pandemic, robust resident consultation on the Old Shoreham Road has simply not been possible? We cannot knock on doors, councillors cannot go and ask questions, it is a fiasco. Will you please change your opinion on the cycle lane, but more importantly will you join me either a morning or evening to see the chaos that is on the Old Shoreham Road, the fights that have taken out, the pollution, have you actually been there when it is busy?

125.25 Councillor Heley replied, there are several questions there. I haven't seen any chaos I have been along the Old Shoreham Road a lot and I have seen quite a lot of families cycling up and down it. I do understand that a lot of drivers sit in traffic and don't see many cyclists go past, that is an argument that is used all over this country. I also understand that a lot of cyclists use the Old Shoreham Road and don't see the traffic chaos that you have talked about and I understand of course that there are two sides to this. I think it is wrong question saying the cycle lane causes traffic chaos, traffic chaos has been caused by the massive exponential rise in traffic in this country. We can't give people the option of very cheap subsidised public transport because concessive conservative councils have made that impossible. The only option we can give them is safe active travel infrastructure.

125.26 Councillor Henry asked the following question, what plans have been made to ensure rough sleepers coming to the city all the summer are helped into appropriate accommodation and services rather than tents on places like Hove Lawns and the Western Esplanade?

125.27 Councillor Gibson replied, the policy that we are operating is, and continues to be, and we hope to sustain it forever. Is that everyone anywhere it is legally possible. We have our outreach services and anyone who is rough sleeping, verified rough sleepers are being offered accommodation and will continue to be and we have been, under both Labour and Green administrations in our joint Housing & Homelessness Programme we have been conducting that policy and I am really pleased to say that it is having a great impact. The latest official figures for the number of rough sleepers in Brighton & Hove, and it is a bit behind because it was November 2020 had a rough sleeper count and estimate of 27 for the city which is the third largest reduction in the country outside of London. So great thanks to all the staff and people who worked really hard on that. For the first time in almost a decade we are out of the top ten highest numbers for rough sleeping. I think working together on our joint programme has helped that.

We shall continue with this approach, hopefully forever, so long as resources allow and at the moment resources are allowing.

- 125.28 Councillor Henry asked the following supplementary question, tents on the seafront are one part of something that needs to be solved in that area. I expect we are going to have a 'Staycation' boom and I want every tourist, visitor every family living in the city to come to the seafront and have a really positive experience and not to see vulnerable people in tents and also not to see litter, rubbish, recycling scattered all around the promenade and on the beach. Are preparations underway to get more rubbish, recycling, litter marshalls in place in time for a summer 'staycation' boom?
- 125.29 Councillor Gibson replied, I think we are all hoping we have a 'Staycation' boom. The concern in terms of tourism has sometimes been that there are too many tents in the city centre and there has been a recognition of that amongst council officers and work has been done in order to try and operate a streamline procedure which will help to deal with tents more efficiently and this has been recognised. This approach is now being consulted on with partner agencies and the community, including the homeless people. It is important to recognised, particularly in the summer that a lot of tent dwellers are not homeless people but people coming down for a holiday. It is also important to recognise that our approach is, and will remain, a welfare first approach, so first of all we have to understand who is there, make contact and ensure that their safety and welfare is prioritised and that won't change. I think you can probably look forward to some improvement on previous practise and more streamlined approach once it has been consulted on more widely, but reassured it will still be a welfare approach and also remind people that not every tent dweller is homeless, particularly under our 'everyone in' approach most homeless people have been housed in hotels and many have moved on into longer term sustainable accommodation which is a fantastic achievement.
- 125.30 Councillor Theobald asked the following question, it is very disappointing that this country is the dirtiest in Europe. It is disgusting how British people leave litter all over the place. I want to ask about the refuse recycling bins, because they are a big cause of litter being blown around because residents do not place rubbish and packaging securely inside the bins. This can be because they are full as they are not collected on time, as happens so often in Patcham and Hollingbury or because residents cannot be bothered to fold up their cardboard and place it inside the bins. Bins are also left on the pavement, which is a hazard. When the bins were first introduced it was made clear that rubbish and recycling would not be collected if left outside bins and there was a team following up the collection to clean up. Can we set up a task group to try and get our residents and visitors to keep Brighton & Hove tidy which would include looking at these issues, working with schools to change our culture to take this on and whether we can request Highways England to allow the council to install cameras on the bypass. The Council collects fines from those entering bus lanes charging for rubbish would make substantial sums for those not securing their loads or throwing litter out of car windows and would save on the cost of closing the road and clearing up.
- 125.31 Councillor Heley replied, I am happy to discuss what you envision a task force could be and that might be a very helpful way of bringing together all the work that is going on across voluntary groups as well as the council, so I would be interested to hear more.

- 125.32 Councillor Theobald asked the following supplementary question, I am pleased with that answer. Residents keep asking me when the A27 by-pass is going to be cleared of litter and I was told several months ago that this will be done very soon. Is there a date for this?
- 125.33 Councillor Heley replied, I believe we have had a bit of a breakthrough recently in terms of litter on the A27 because the main issue is communicating with Highways England and its' contractors for us to be able to access the areas as it is quite a dangerous thing to be doing. I believe that the new contractors have been quite co-operative with us which is really good news so we have been able to move on in the last few weeks and I am happy to get some more specific dates for the near future.
- 125.34 Councillor Nemeth proposed that an additional fifteen minutes be allowed so that further questions could be asked.
- 125.35 Councillor Simson formally seconded the motion.
- 125.36 The Mayor put the motion to the vote which was carried, and he therefore invited Councillor Appich to put her question to Councillor Gibson.
- 125.37 Councillor Appich asked the following question, we had an interesting progress report from Housing Officers at committee last week, part of that report dealt with bringing shared homes back into use and we were informed that just 17 homes were brought back into use during quarter three or 82 during 2021 against a cumulative target of 120, this is undoubtedly due to Covid. There are though many private sector vacant properties which may or may not be let and I would like to know how many there are, if we know, how officers are made aware of those, where we can report them if we suspect that a property has been empty for a while and what action officers can take to encourage landlords to re-let them?
- 125.38 Councillor Gibson replied, it is the kind of detail that I would recommend be put in as a written question because I am not going to be able to supply you with a lot of the exact details of the quality that you, rightly expect, so I will ask officers to supplement what I have to say.
- The concern about the lower numbers of homes brought back in, which underpins your question I will share, and we have in our joint Housing & Homeless Programme a really ambitious target of 161. We are not going to make this, and we know why as you have said because of Covid. We will, hopefully, be able to get back on track. I know from my own ward there is a property that has been empty for 15 years which is a tragedy and we do really need to concentrate our efforts. I will send you a more detailed response.
- 125.39 Councillor Appich asked the following supplementary question, many empty homes, including private and council owned as well as council leasehold properties are being let and have been let as holiday homes or Airbnb. I suspect the new Covid rules which appear to allow self-catering holiday accommodation may cause an explosion of property being used in this way. What actions are being taken to identify this and how can we dissuade the use of homes in this way?

- 125.40 Councillor Gibson replied, similarly, I think it is a written question. A big priority at the moment, given the resources that we have is to make progress on empty council homes. We have about 100 more voids than we usually have and those are homes that will be let to people in desperate housing need and while the pandemic is still on we are putting our energies into trying to reduce that number as quickly as possible. In the long run we need to address all the issues you have raised, and we will get you a full and thorough answer and then you can come back to us on the detail.
- 125.41 Councillor Mears asked the following question the numbers in emergency accommodation during the pandemic has increased significantly from approximately 500 to 800 as per 17 March Housing Committee Report. What reassurances can you give that, due to the number, people are still able to access help and advice and services they need for their wellbeing and safety?
- 125.42 Councillor Gibson replied, you highlight a great increase which has been the right thing to do and has helped keep people off the streets and avoid evictions. We have a Welfare Officer team and it has been expanded slightly but I am concerned that it might not be sufficient to provide the support that is necessary. It is also much easier when there are placements in the city. We also have meetings between officers of B&HC and Lewes and Eastbourne on a regular basis to monitor the welfare concerns but nevertheless there are welfare concerns, there are regular meetings and it needs to be monitored and we are committed wherever possible to bring back people with the greatest welfare and needs into the city as soon as possible, in fact not to house them outside of the city, that was a policy that went through Housing Committee a few years back.
- 125.43 Councillor Mears asked the following supplementary question, as of 17 March Housing Committee meeting the council has accommodated over 300 people in emergency accommodation outside the city. The council has taken a range of accommodation in Crawley, Peacehaven, Newhaven and Eastbourne. With other towns along the coast now needing to free up their hotels for their tourist economy and the need to bring people back into the city what reassurances were given to Eastbourne Council when officers from Brighton & Hove attended their Scrutiny meeting yesterday to reassure them that we will be bringing people back into the city as quickly as possible to free up their hotels for their tourist economy?
- 125.44 Councillor Gibson replied, I have mentioned that it is not the desire, or policy to place people outside of the city in the first place, but there has been a huge increase of numbers and it has happened. We were able to report to the committee quite significant progress and that the numbers have been reduced in the last few weeks to the same number that they had increased to in September that was 131 from around about 200 a few weeks ago in terms of Eastbourne. The aim is to reduce further to the kind of levels that historically have always been the case in places like Eastbourne and Lewes. In a perfect world it would go to zero but to be realistic it is not a perfect world and we are expecting people to be made homeless from the end to the ban on evictions. That is the goal and we are committed to meeting further with the councils at Member level and to keep the regular contact between officers to that end.
- 125.45 Councillor O'Quinn asked the following question, last year on 31 March the golf course at Waterhall was closed down for good and lockdown began on 23 March. There have

been more and more walkers up at Waterhall since then and an increasingly larger number of them walk on the old golf course. I have been most days to Waterhall since March and there have been golfers there as well, even during the very cold spell we had in February, thus I was surprised at the decision to remove the litter bins on the golf course as there are so many more people there due to the Covid pandemic. I understand that Cityclean might have issues with having to deal with the bins and empty them that were previously dealt with by the golf club employees. There is endless dog mess (doggy poo bags) and other litter on the old golf course. Please could you inform us as to what you intend to do to resolve this unsatisfactory situation on one of our most beautiful areas of the Southdowns?

125.46 Councillor Heley replied, as you know, following decisions to re-wild Waterhall changes are being made to manage the site as an open downland space rather than as a golf course. This includes aligning bin provision to other downland areas. This means some litter bins are being removed, or have been removed, except for a some which are close to the club house where they are easy to access for emptying. As per other downland areas, the expectation is that people manage their waste responsibly and take it home with them.

I have heard your concerns and I am happy to speak to Cityclean about getting some more dog bins specifically if that is the main issue.

125.47 Councillor O'Quinn asked the following supplementary question, could there be more notices up on the golf course about littering, dog mess

125.48 Councillor Heley replied, it sounds that we definitely need to discuss that. Some people would not want that because it might ruin the landscape so we would have to strike a balance, but I am happy to take that away.

125.49 Councillor Bagaeen asked the following question, if the pandemic has taught us anything it is that our Black, Asian and Minority Ethnic communities have been deeply affected by it. I am therefore deeply concerned that the council has left out those same BAME communities from the Climate Action work. Why is he council not actively reaching out to the BAME Community?

125.50 Councillor Mac Cafferty replied, it is fair to say that the Carbon Neutral Plan that was agreed by the ETS Committee and P&R Committee last week was seen very much as a first step and in any case alongside key parts of the Corporate Programme in any given year we want to do much more community participation. You are right in terms of the graphic and disturbing way in which BAME communities, not just hear, but across the country have been dramatically affected by the pandemic and, of course, we have to step up to the mark on what we are trying to do.

In relation to some of the work on this we have ratified exactly what is happening to BAME communities and that is why, for example, for the meeting of the TECC Committee there is a report coming on all the different strands of work that we are doing on the across the city. I think we need to acknowledge that the key part of the Climate Assembly was to come up with independent sourcing and to ensure a particular focus on BAME engagement and that is what has happened, but the work continues.

- 125.51 Councillor Bagaeen asked the following supplementary question, thinking about access to Green Grants, or grants to lower the energy use for these communities, why is the council not offering direct support to BAME communities to help mitigate the impact of climate change on their lives and livelihoods?
- 125.52 Councillor Mac Cafferty replied, I don't know who got what from the £100k of community grants that we have given out. I believe that they were awarded, if not at the last ETS Committee then the one prior to that. But that was specifically about trying to reach out to the different community groups as they represent different communities in the city. I know also that the City Council has been proactively supporting and reaching out to all sorts of organisations in the city, the BICP that my counterpart Cllr Powell has been doing excellent work as well and with everything in terms of the engagement with the community with the Community Advisory Group which met in the last few weeks as well. I am more than happy to continue the work and it is really important, for reasons that you rightly outline.
- 125.53 The Mayor stated that the additional fifteen minutes had expired, and he then adjourned the meeting for a refreshment break for twenty-five minutes.
- 125.54 The meeting was adjourned at 18.50 and reconvened at 19.15pm.

## **126 CITY OF SANCTUARY RE-ACCREDITATION**

- 126.1 Councillor Powell introduced the report and stated that she hoped Members would fully support the Council's commitment to being a city of sanctuary.
- 126.2 Councillors Simson, Hugh-Jones, Evans and Peltzer Dunn all spoke in support of the report and the Council's ambitions which highlighted how Brighton and Hove was a city for all.
- 126.3 The Mayor then put the recommendation to the vote and called on the Leaders of each Group to confirm their position, along with the Groups and the Independent Members as follows:

Councillor Mac Cafferty stated that Green Group were voting in favour of the recommendation and this was confirmed by the Green Group;

Councillor Platts stated that the Labour Group were voting in favour of the recommendation and this was confirmed by the Labour Group;

Councillor Bell stated that the Conservative Group were voting in favour of the recommendation and this was confirmed by the Conservative Group;

Councillor Brennan stated that she was voting in favour of the recommendation;

Councillor Fishleigh stated that she was voting in favour of the recommendation;

Councillor Janio stated that he was voting in favour of the recommendation;

Councillor Knight stated that she was voting in favour of the recommendation;

126.4 The Mayor confirmed that the recommendation had been carried unanimously.

126.5 **RESOLVED:** That the City of Sanctuary Charter as set out I appendix 1 to the report be endorsed.

## 127 NEXT STEPS - ROUGH SLEEPING AND ACCOMMODATION DURING COVID 19 PANDEMIC AND RECOVERY

127.1 Councillor Gibson introduced the report and noted that it was hoped the Council would become the first authority to adopt a Homeless Bill Rights. He hoped that it would be fully supported by Members and that other authorities would follow the Council's lead.

127.2 Councillor Fishleigh moved an amendment to the recommendations which was formally seconded by Councillor Janio.

127.3 Councillors Hugh-Jones, Williams, Brennan, Phillips and Evans spoke in favour of the report and the commitment in the Rough Sleepers Strategy to develop a Homeless Bill of Rights.

127.4 Councillor Mears and Barnett expressed concerns over the proposals and suggested that further consideration was needed before a final decision was taken.

127.5 Councillor Moonan stated that she had some reservations in relation to how begging in the city could be tackled and noted that more tents were appearing in the city.

127.6 Councillor Gibson noted the comments and stated that points had been well-made, however he could not support the amendment and hoped that the recommendations would be approved.

127.7 Councillor Fishleigh requested that a recorded vote be held, and this was seconded formally by Councillor Childs.

127.8 The Mayor noted that a sufficient number of Members had indicated their support for the motion and therefore asked for a recorded vote to be taken.

127.9 The Head of Democratic Services noted that an amendment had been moved and put it to the vote:

		For	Against	Abstain			For	Against	Abstain
1	<b>Allcock</b>		x		28	<b>Littman</b>		x	
2	<b>Appich</b>		x		29	<b>Lloyd</b>		x	
3	<b>Atkinson</b>		x		30	<b>MacCafferty</b>		x	
4	<b>Bagaeen</b>		x		31	<b>Mcnair</b>		x	

5	<b>Barnett</b>		x		32	<b>Mears</b>		x	
6	<b>Bell</b>		x		33	Miller			
7	<b>Brennan</b>		x		34	<b>Moonan</b>		x	
8	<b>Brown</b>		x		35	<b>Nemeth</b>		x	
9	<b>Childs</b>		x		36	<b>Nield</b>		x	
10	<b>Clare</b>		x		37	<b>O'Quinn</b>		x	
11	<b>Davis</b>		x		38	<b>Osborne</b>		x	
12	<b>Deane</b>		x		39	<b>Peltzer Dunn</b>		x	
13	<b>Druitt</b>		x		40	<b>Phillips</b>		x	
14	<b>Gibson</b>		x		41	<b>Pissaridou</b>		x	
15	<b>Grimshaw</b>		x		42	<b>Powell</b>		x	
16	<b>Ebel</b>		x		43	<b>Platts</b>		x	
17	<b>Evans</b>		x		44	<b>Rainey</b>		x	
18	<b>Fishleigh</b>	√			45	<b>Robins</b>		x	
19	<b>Fowler</b>				46	<b>Shanks</b>		x	
20	<b>Hamilton</b>		x		47	<b>Simson</b>		x	
21	<b>Heley</b>		x		48	<b>Theobald C</b>		x	
22	<b>Henry</b>		x		49	<b>Wilkinson</b>		x	
23	<b>Hills</b>		x		50	<b>Williams</b>		x	
24	<b>Hugh-Jones</b>		x		51	<b>West</b>		x	
25	<b>Janio</b>	√			52	<b>Yates</b>		x	
26	<b>Knight</b>		x		53				
27	<b>Lewry</b>		x		54				
							<b>2</b>	<b>48</b>	

127.10 The Mayor confirmed that the amendment had been lost by 2 votes to 48.

127.11 The Head of Democratic Services then put the recommendations as listed in the report to the vote:

		For	Against	Abstain			For	Against	Abstain
1	<b>Allcock</b>	√			28	<b>Littman</b>	√		

2	<b>Appich</b>			a	29	<b>Lloyd</b>	√		
3	<b>Atkinson</b>			a	30	<b>MacCafferty</b>	√		
4	<b>Bagaeen</b>		x		31	<b>Mcnair</b>		x	
5	<b>Barnett</b>		x		32	<b>Mears</b>		x	
6	<b>Bell</b>		x		33	Miller			
7	<b>Brennan</b>	√			34	<b>Moonan</b>			a
8	<b>Brown</b>		x		35	<b>Nemeth</b>		x	
9	<b>Childs</b>	√			36	<b>Nield</b>	√		
10	<b>Clare</b>	√			37	<b>O'Quinn</b>			a
11	<b>Davis</b>	√			38	<b>Osborne</b>	√		
12	<b>Deane</b>	√			39	<b>Peltzer Dunn</b>		x	
13	<b>Druitt</b>	√			40	<b>Phillips</b>	√		
14	<b>Gibson</b>	√			41	<b>Pissaridou</b>	√		
15	<b>Grimshaw</b>	√			42	<b>Powell</b>	√		
16	<b>Ebel</b>	√			43	<b>Platts</b>	√		
17	<b>Evans</b>	√			44	<b>Rainey</b>	√		
18	<b>Fishleigh</b>			a	45	<b>Robins</b>	√		
19	<b>Fowler</b>				46	<b>Shanks</b>	√		
20	<b>Hamilton</b>			a	47	<b>Simson</b>		x	
21	<b>Heley</b>	√			48	<b>Theobald C</b>		x	
22	<b>Henry</b>			a	49	<b>Wilkinson</b>	√		
23	<b>Hills</b>	√			50	<b>Williams</b>	√		
24	<b>Hugh-Jones</b>	√			51	<b>West</b>	√		
25	<b>Janio</b>		x		52	<b>Yates</b>	√		
26	<b>Knight</b>	√			53				
27	<b>Lewry</b>		x		54				
							<b>31</b>	<b>13</b>	<b>7</b>

127.12 The Mayor confirmed that the recommendations had been carried by 31 votes to 13 with 7 abstentions.

**127.13 RESOLVED:**

- (1) That the Homeless Bill of Rights be adopted (as referred to in the Homelessness and Rough Sleeping Strategy 2020-25) as an aspirational document and as the standard against which the Council and its partners judge its policies and practices and outcomes;
- (2) That a copy of the resolution is signed by the Leader and sent to FEANTSA to mark its commitment to the international movement of solidarity with homeless people;
- (3) That it be agreed to commit to a process of continuous commitment, improvement and engagement to uphold rights of homeless people.

**128 REVIEW OF THE COUNCIL'S CONSTITUTION**

Note: The item had been withdrawn.

**129 HEALTH & WELLBEING BOARD REVIEW: PROPOSALS FOR AGREEMENT**

129.1 Councillor Shanks introduced the report which detailed proposed changes to the Health & Wellbeing Board and noted that the recommendations had been agreed at the Board meeting on the 23<sup>rd</sup> March 2021.

129.2 Councillor Moonan and Bagaeen spoke in support of the proposals and stated that it was felt that progress was being made and matters were moving in the right direction.

129.3 The Mayor then put the recommendations to the vote called on each of the Group Leaders to confirm their position as well as the Groups in turn and each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the recommendations and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the recommendations and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were in favour of the recommendations and this was confirmed by the Members of the Conservative Group;

Councillor Brennan confirmed that she was voting for of the recommendations;

Councillor Fishleigh confirmed that she was voting for the recommendations;

Councillor Janio confirmed that he was voting for the recommendations;

Councillor Knight confirmed that she was voting for the recommendations.

129.4 The Mayor confirmed that the motion had been carried unanimously.

**129.5 RESOLVED:**

- (1) That the Homeless Bill of Rights be adopted (as referred to in the Homelessness and Rough Sleeping Strategy 2020-25) as an aspirational document and as the standard against which the Council and its partners judge its policies and practices and outcomes;
- (2) That a copy of the resolution is signed by the Leader and sent to FEANTSA to mark its commitment to the international movement of solidarity with homeless people;
- (3) That it be agreed to commit to a process of continuous commitment, improvement and engagement to uphold rights of homeless people.

**130 MEMBERS' ALLOWANCES**

- 130.1 Councillor Gibson introduced the report which detailed the recommendations of the Independent Remuneration Panel in regard to changes to the Members Allowances Scheme. He stated that he wished to thank the Panel members for their work and noted that the Policy & Resources Committee had considered the report at its meeting on the 18 March and made alternative recommendations.
- 130.2 Councillor Shanks moved an amendment on behalf of the Green Group which was formally seconded by Councillor Hugh-Jones.
- 130.3 Councillors Yates, Bell, Janio, Hugh-Jones and Druitt spoke on the matter and expressed various views in relation to the recognition of job-sharing roles within the Members Allowances Scheme, the need for any changes to remain cost neutral and for further discussions between the Groups on the proposed changes resulting from the amendment.
- 130.4 Councillor Gibson noted the comments and stated that he hoped a further report to the Policy & Resources Committee would be helpful and that in the meantime the amendment would be supported.
- 130.5 The Mayor noted that an amendment had been moved and therefore put it to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn and each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the amendment and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the amendment and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were against the amendment and this was confirmed by the Members of the Conservative Group,

Councillor Brennan confirmed that she was voting in favour of the amendment;

Councillor Fishleigh confirmed that she was voting in favour of the amendment;

Councillor Janio confirmed that he was voting against the amendment;

Councillor Knight confirmed that she was voting in favour of the amendment.

130.6 The Mayor confirmed that the amendment had been carried and therefore put the recommendations of the Policy & Resources Committee as amended to the vote. He called on each of the Group Leaders to confirm their position as well as the Groups in turn and each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the recommendations as amended and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the recommendations as amended and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were against the recommendations as amended and this was confirmed by the Members of the Conservative Group,

Councillor Brennan confirmed that she was voting in favour of the recommendations as amended;

Councillor Fishleigh confirmed that she was voting in favour of the recommendations as amended;

Councillor Janio confirmed that he was voting against the recommendations as amended;

Councillor Knight confirmed that she was voting in favour of the recommendations as amended.

130.7 The Mayor confirmed that the recommendations as amended had been carried.

130.8 **RESOLVED:**

- (1) That the recommendations of the IRP in the original report and the comments regarding their encouragement to the Council to consider further information being shared regarding the nature and practical implementation of job share roles for Councillors be noted;
- (2) That a report be brought to the next meeting of Policy & Resources Committee to detail which jobs could be job shared in any revisions to the Scheme;
- (3) That pending a decision following the report mentioned in resolution (4) below, the following be implemented as an interim measure:

- (i) The Scheme is revised to reflect that where a Member holds a role on a job share basis they are entitled to claim a 50% allowance for that role and that a maximum of two of two job share roles can be claimed for on this basis;
  - (ii) The Scheme is revised to make clear that a 50% allowance can be claimed for a job share Deputy Leader role in addition to a 50% allowance for a Chair of a policy committee role (which is a presumption in the Scheme and the chairing may be full time or a shared role;) and
  - (iii) The payments for those Councillors whose responsibilities meet the criteria under the revised Scheme are backdated to the date they were appointed.
- (4) That an Options Paper be brought to the next meeting of Policy & Resources Committee to decide on any revisions to the Members Allowances Scheme with regards to car parking passes, and for the options to include; separating the two car park concessions, reducing them, for permits to be limited in number per political group, choosing to have permits for one site only, allowing Cllrs to make a larger monthly contribution for both car parks near the Town Halls or other suggestions which the IPR believe relevant.

### **130 (A) PAY POLICY STATEMENT 2021/22**

130.9 **RESOLVED:** That the pay policy statement for 2021/22 attached at Appendix 1 to the report be agreed and adopted.

### **130 (B) 2030 CARBON NEUTRAL PROGRAMME, 18/03/2021 POLICY & RESOURCES COMMITTEE**

130.10 Councillor Platts stated that she had requested the report be referred to the full Council for information as she felt it was an issue that all Members needed to support. She also wished to thank the officers involved in the work and the cross-party working group for their actions to date.

130.11 Councillors Fishleigh, Bagaeen and Mac Cafferty spoke on the issue and expressed the need for public engagement and support for the objectives outlined in the report. It was also noted that the Youth Climate Assembly had raised issues and were pushing for change which would ensure a better future for the younger generation.

130.12 The Mayor stated that the report had been referred for information and therefore should be noted.

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

130.14 The Mayor noted that the meeting had been in progress for four hours and therefore he was required to move a closure motion. However, he was inclined to consult with the Leaders of the Groups and therefore would adjourn the meeting for a short break so that he could discuss matters with the Group Leaders.

130.15 The Mayor then adjourned the meeting at 21.06pm.

- 130.16 The Mayor reconvened the meeting at 21.25pm and invited Councillor Platts to move a motion.
- 130.17 Councillor Platts proposed that Standing Orders should be suspended to provide for one speaker from each Group to speak on the remaining items that were due for consideration.
- 130.18 Councillor Mac Cafferty formally seconded the proposal.
- 130.19 The Mayor confirmed that one speaker from each Group and any Independent Member would be able to speak on the remaining items and that where necessary the items would be seconded formally. He then put the motion as outlined to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn and each of the Independent Members:
- Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Members of the Green Group;
- Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Members of the Labour Group;
- Councillor Bell stated that the Conservative Group were against the motion, and this was confirmed by the Members of the Conservative Group;
- Councillor Brennan confirmed that she was voting for the motion;
- Councillor Fishleigh confirmed that she was voting for the motion.
- Councillor Janio confirmed that he was voting against the motion;
- Councillor Knight confirmed that she was voting in favour of the motion.
- 130.20 The Mayor confirmed that the motion had been carried.

### **131 IMPACT OF COVID-19 ON CHILDREN & YOUNG PEOPLE**

- 136.1 The Mayor informed the meeting that he had been informed by Councillors Yates and Littman of a request to withdraw their notices of motion listed as Items 131 and 135 respectively on the agenda and to replace them with a new composite notice of motion. He states that he was happy to accept the request and for the new motion which was listed in addendum 2 for the meeting to be taken and regarded as Item 131. In so doing, he was required to ask both movers of their motions to confirm their wish to withdraw the motions before putting this to the council for confirmation.
- 136.2 Councillor Yates formally requested that the motion listed as Item 131 on the agenda should be withdrawn.
- 136.3 Councillor Littman formally requested the motion listed as Item 135 on the agenda should be withdrawn and both motions then replaced by the new motion 131 as listed in addendum 2.

- 136.4 The Mayor noted the both motions were to be withdrawn and sought confirmation from the Council which was agreed. He then invited Councillor Littman to move the new motion 131 as detailed in addendum 2.
- 136.5 The Notice of Motion as listed in addendum 2 was proposed by Councillor Littman on behalf of the Green and Labour Groups and an Independent Member, Councillor Knight and formally seconded by Councillors Allcock and Knight.
- 136.6 Councillor Brown moved an amendment on behalf of the Conservative Group, which was seconded by Councillor McNair and accepted by Councillor Littman.
- 136.7 The Mayor noted that the amendment had been accepted and therefore put the following motion as amended to the vote:

This Council recognises and acknowledges:

1. The challenging financial, social, wellbeing and educational impacts the pandemic has brought to children, young people and households city-wide;
2. That additional Government funding (Emergency Assistance Grant) expires 31 March;
3. The significant support the city's services, community groups and the Government have provided to alleviate these impacts, including commissioning of money advice services, third sector funding, welfare support and housing benefit teams, to ensure families and individuals are supported;

Council therefore resolves to:

- 1) Join the Children's Society 'Funding local crisis support,' campaign by asking the Chief Executive to detail to government our support and concerns regarding funding ending 31 March;
  - 2) Request the Chief Executive writes to Robert Jenrick MP, recognising the resources provided by the Government to date, and calling for long-term, dedicated Treasury funding to enable councils to provide a safety-net for the most vulnerable;
  - 3) Request a report to a CYPS committee in this council year to outline the impacts of Covid-19 and lockdown on children and young people, and further support to mitigate these impacts including:
    - a) Mental health and wellbeing support;
    - b) Rebuilding young people's community support networks;
    - c) Ensuring every child on Free School Meals has access to nutritional food through School Holidays, not just term time;
    - d) Enabling greater access to existing council services through increased concessionary fees;
    - e) Enabling free travel for young people across the city and learners with disabilities who attend college;
    - f) Broadening out-of-school and after-hours educational support long-term, to address new and entrenched disadvantage.
- 136.8 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion as amended and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion as amended and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were in favour of the motion as amended and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion as amended;

Councillor Fishleigh confirmed that she was voting for the motion as amended;

Councillor Janio confirmed that he was voting for the motion as amended;

Councillor Knight confirmed that she was voting for the motion as amended.

136.9 The Mayor confirmed that the motion as amended had been carried.

### **132 MOULSECOOMB PRIMARY SCHOOL**

136.10 The Notice of Motion as listed in the agenda was proposed by Councillor Grimshaw on behalf of the Labour and Green Groups and formally seconded by Councillor Clare.

136.11 Councillor Knight spoke in favour of the motion.

136.12 The Mayor then put the following motion the vote:

This Council notes;

- 1) The Regional Schools Commissioners (RSC) Office has identified three trusts as potential academy sponsors for Moulsecoomb Primary;
- 2) An academy sponsor is due to be appointed by the RSC at a meeting on 25 March;
- 3) The trajectory of improvement Moulsecoomb Primary is on, following the 2019 'inadequate' Ofsted judgement;
- 4) The recent Ofsted monitoring visit reporting that effective action is being taken with the school's improvement plan described as 'fit for purpose';
- 5) The overwhelming support for keeping Moulsecoomb Primary within local authority control, with a ballot showing 96% of parents were opposed to academisation;

This Council therefore:

- 1) Reaffirms its commitment to stand by parents, staff, unions and community in opposing the forced academisation of Moulsecoomb Primary, as there should be no academisation without community consent;
- 2) Requests the Chief Executive writes to the Secretary of State for Education, urging them to revoke the academisation order on Moulsecoomb Primary and requesting an urgent reinspection to enable the school to demonstrate its ongoing journey of improvement;

- 3) Requests the Chair of the Children, Young People & Skills Committee to call a special meeting to consider the need to conduct a further urgent ballot of parents and carers of children at Moulsecoomb Primary on whether they are in favour or oppose the forced conversion of the school to an academy trust selected by the RSC; and
- 4) Requests the Council's School Improvements team continue to support the school on its journey to being a 'Good' school.

136.13 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative wished to abstain from voting on the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion;

Councillor Fishleigh confirmed that she wished to abstain from voting on the motion;

Councillor Janio confirmed that he was voting against the motion;

Councillor Knight confirmed that she was voting for the motion.

136.14 The Mayor confirmed that the motion had been carried.

### **133 CLIMATE AND ECOLOGICAL EMERGENCY BILL**

134.1 The Notice of Motion as listed in the agenda was proposed by Councillor Heley on behalf of the Green Group and formally seconded by Councillor Mac Cafferty.

134.2 Councillors Wilkinson and Bagaen spoke in favour of the motion, although Councillor Bagaen stated that the Conservative Group could not support it due to the inability to meet the challenges and need for financial support to be identified.

134.3 The Mayor then put the following motion the vote:

Council notes that we have cross party, declared a climate and ecological emergency, hosted the city's first climate assembly and youth climate assembly and have published our first Carbon Neutral programme. Council also notes that there is a Bill before Parliament—the Climate and Ecological Emergency Bill (published as the "Climate and Ecology Bill")—according to which the Government must develop an emergency strategy to limit global temperature increase to 1.5 degrees C above pre-industrial levels. [1]

Council therefore resolves to:

- Support the Climate and Ecological Emergency Bill, through encouraging local MPs to support this bill in Parliament, and through writing to the CEE Bill Alliance,

Further, council also resolves to:

- Continue cross party work on climate by pledging to join the UK100, the alliance of local government leaders for cleaner, more powerful communities. This pledge asks councillors to:
  - pledge to assess our largest impacts on climate change, prioritise where action needs to be taken and measure and monitor progress towards targets.
  - reduce our emissions at source and limit the use of carbon offsets as part of the global effort to avoid the worst impacts of climate change;

Continue cross party work to ensure Carbon Neutrality by 2030, including through joining lobbying calls of the UK100 partnership of local government.

- 137.4 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were against the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion;

Councillor Fishleigh confirmed that she was voting for the motion;

Councillor Janio confirmed that he was voting against the motion;

Councillor Knight confirmed that she was voting for the motion.

- 137.5 The Mayor confirmed that the motion had been carried.

## **134 NHS WHITE PAPER AND PUBLIC INVOLVEMENT**

- 134.1 Councillor Peltzer Dunn moved a point of order and sought clarification with regard to the first bullet point in the motion and whether the Council was in a position to instruct Group Leaders to take action.

- 134.2 The Monitoring Officer confirmed that Council could only request Group Leaders to consider taking action and suggested that the bullet point be amended accordingly should the amendment be carried.

- 134.3 The Mayor noted the advice and stated that should the amendment be carried then the motion would be revised to reflect the required change of wording.

- 134.4 The Notice of Motion as listed in the agenda was proposed by Councillor Shanks on behalf of the Green Group and formally seconded by Councillor Nield.
- 134.5 Councillor Grimshaw moved an amendment on behalf of the Labour Group which was formally seconded by Councillor Evans.
- 134.6 Councillor McNair moved an amendment on behalf of the Conservative Group which was formally seconded by Councillor Bagaeen.
- 134.7 Councillor Nield confirmed that the Green Group would accept the Labour amendment but could not accept the Conservative amendment.
- 134.8 The Mayor noted that the Conservative Group amendment had not been accepted and therefore put it to the vote and called on the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were against the amendment and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were against the amendment and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were in favour of the amendment and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting against the amendment;

Councillor Fishleigh confirmed that she wished to abstain from voting on the amendment;

Councillor Janio confirmed that he wished to abstain from voting on the amendment;

Councillor Knight confirmed that she was voting against the amendment.

- 134.9 The Mayor confirmed that the amendment had been lost.
- 134.10 The Mayor noted that the Labour amendment had been accepted and therefore put the following motion as amended to the vote:

Council notes the publication of the NHS White Paper. We welcome the recognition of the importance of place-based care, despite no long-term funding solution for adult social care but we ask for thorough consultation on the changes proposed.

The White Paper recognises the critical role of local government to the health and wellbeing of our communities, but proposes new powers for the Secretary Of State for Health and Social Care which could undermine local leadership, the local accountability of the NHS, and local government's public health responsibilities.

This council applauds the work of our Public Health and Adult Social Care Teams during this pandemic and the work of all council officers in keeping council services going during these difficult times.

Council therefore resolves that:

- All party Leaders be requested to write to the NHS Leads asking for them to consult the City Council and residents on the White Paper, so that our local communities can have meaningful input into the proposals for the NHS;
- To ask the CEO to write to local and national NHS Leads, to express our wish for representation of both officers and members from each Local Authority area covered in any proposed Integrated Care Systems, to ensure accountability, transparency and oversight;
- To ask the CEO to write to the Minister of Health as part of the White Paper consultation and seek assurance that these reforms will not remove or undermine scrutiny of the NHS through Local Authority bodies such as Health Overview and Scrutiny Committees and independent bodies such as Healthwatch;
- And further, to ask the CEO to write to the Minister of Health and local MPs to ask for sufficient resources for public health to address health inequalities and deal with any future pandemic, including responsibility for test and trace systems.

134.11 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were against the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion;

Councillor Fishleigh confirmed that she wished to abstain from voting on the motion;

Councillor Janio confirmed that he was voting for the motion;

Councillor Knight confirmed that she was voting for the motion.

134.12 The Mayor confirmed that the motion had been carried.

### **135 WELFARE ASSISTANCE FUND**

135.1 The motion had been withdrawn – refer to Item 131.

### **136 RISE**

136.1 The Notice of Motion as listed in the agenda was proposed by Councillor Nemeth on behalf of the Conservative Group and formally seconded by Councillor Simson.

136.2 Councillors Powell and Evans spoke in favour of the motion.

136.3 The Mayor then put the following motion the vote:

This Council:

- (1) Strongly supports the work of Sussex-based charity RISE in helping people affected by domestic abuse and violence;
- (2) Notes that Policy & Resources Committee is in the process of establishing a cross-party Member Working Group to review commissioning and procurement practices including those relating to domestic violence services;
- (3) Calls on the Member Working Group to leave no stone unturned in getting to the bottom of the decisions, procedures and processes that led to the current unsatisfactory situation; and
- (4) Requests officers to expedite any requests for information that are made by either Councillors or members of the public relating to the above, through Freedom of Information requests or other means.

136.4 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were in favour of the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion;

Councillor Fishleigh confirmed that she was voting for the motion;

Councillor Janio confirmed that he was voting for the motion;

Councillor Knight confirmed that she was voting for the motion.

136.5 The Mayor confirmed that the motion had been carried.

## **137 GREEN PRIDE**

137.1 The Mayor noted that a revised version of the notice of motion had been circulated with addendum 1 and that he was required to call on Councillor Miller to explain the revision and see Council's agreement to the revised motion be taken in place of the original one listed in the agenda.

137.2 Councillor Miller stated that following the publication of the agenda he had received legal advice which required a revision to the wording of the motion.

137.3 The Mayor sought Council's agreement to the revised motion being taken which was agreed.

137.4 The Notice of Motion as listed in addendum 1 was proposed by Councillor Miller on behalf of the Conservative Group and formally seconded by Councillor Bagaeen.

137.5 Councillor Clare moved an amendment on behalf of the Green Group which was formally seconded by Councillor Littman.

137.6 Councillors Childs and Brennan spoke in favour of the original motion and Councillor Miller confirmed that he was not prepared to accept the amendment.

137.7 The Mayor noted that the amendment had not been accepted and therefore put the amendment to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the amendment and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were against the amendment and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were against the amendment and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she wished to abstain from voting on the amendment;

Councillor Fishleigh confirmed that she was voting for the amendment;

Councillor Janio confirmed that he was voting for the amendment;

Councillor Knight confirmed that she wished to abstain from voting on the amendment.

137.8 The Mayor confirmed that the amendment had been lost.

137.9 The Mayor then put the following motion the vote:

This Council agrees to:

1. Request the Policy & Resources Committee to consider the prohibition of the use of Preston Park and any other council property, park, green or open space for the event Green Pride as a commercial event, in which the organiser charges stall holders and accepts sponsorship, or takes money in relation to the event, save if agreed by Council officers and to call for a report as necessary in order to be able to approve the prohibited use of council land and property as outlined; and
2. Support the use of medicinal cannabis and CBD oil in line with national legislation and the right to protest on the issue of cannabis use, using areas designated by Council officers, other than when the organiser seeks to make money.

137.10 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were against the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were in favour of the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting against the motion;

Councillor Fishleigh confirmed that she was voting for the motion;

Councillor Janio confirmed that he was voting for the motion;

Councillor Knight confirmed that she wished to abstain from voting on the motion.

137.11 The Mayor confirmed that the motion had been carried.

**138 CLOSE OF MEETING**

138.1 The Mayor thanked everyone and closed the meeting.

The meeting concluded at 10.55pm

Signed

Chair

Dated this

day of

2021

