

BRIGHTON & HOVE CITY COUNCIL

22 APRIL 2004

4.30PM

BRIGHTON TOWN HALL

MINUTES

Present: Councillor Jeane Lepper (Mayor); Councillors Allen, Battle, Bennett, Bodfish, Mrs Brown, Burgess, Carden, Mrs Cobb, Davidson, Mrs Drake, Edmond-Smith, Elgood, Fitch, Forester, Framroze, Giebeler, Hamilton, Hawkes, Hazelgrove, John, Kemble, Kielty, Mallender, McCaffery, Meadows, Mears, Meegan, Mitchell, Morgan, Mrs A Norman, K Norman, Older, Oxley, Paskins, Peltzer Dunn, Pennington, Pidgeon, Randall, Mrs Simson, Smith, Taylor, Mrs C Theobald, G Theobald, Tonks, Turner, Turton, Watkins, Wells, Williams, Willows, Wrighton and Young.

87. DECLARATIONS OF INTEREST

87.1 There were no declarations of interest.

88. MINUTES

88.1 **RESOLVED** - That the minutes of the meeting of the Council held on 11 March 2004 be approved and signed as a correct record of the proceedings.

89. MAYOR'S COMMUNICATIONS

89.1 The Mayor reported that it was with regret that she had to advise the Council of the death of two former Councillors. George Haynes had been a former Labour Councillor for the Hollingbury Ward. He had given years of excellent and loyal service to the community during the 1970's and was held in great affection and respect by all who knew and worked with him. He would be sadly missed.

89.2 Evelyn Francis was a former Labour member for the Lewes Road Ward on Brighton Borough Council and wife of the late Councillor Idwal (Ted) Francis JP and passed away after much suffering. She would be greatly missed by all her family and friends.

89.3 The Mayor asked the Council to stand for one minute's silence to respect their memories.

89.4 The Mayor also reported that there was a long agenda this evening. There had been a number of amendments that had been received. Three amendments had not been accepted. There was one received from the Liberal Democrats concerning item 8.1 (a) in relation to the School Travel Strategy. This was not accepted as it related to an item that was on the agenda for information only and therefore there was no decision to amend.

89.5 The Mayor also reported that there had also been two amendments received from the Conservative and Green Groups in relation to the item 8.4 (a) concerning the Housing Strategy 2004 –2007. Both amendments related to the level of affordable housing to be provided in line with the Local Plan Inspector's recommendations and Government guidelines. The targets in the Housing Strategy reflected the provision in the Local Plan. The changes proposed would not put into effect the desired amendments. The Council would have the opportunity to debate the Local Plan Inspector's recommendations at a later date and it would be at that time that it would be appropriate to submit any amendments for consideration.

89.6 The Mayor reported that members would also see that 8 Notices of Motion had been received and that 4 had been referred on without discussion as set out on the agenda. In the circumstances the Mayor had asked the Monitoring Officer to prepare a briefing note for members to explain the issues for drafting such Notices to enable them to be discussed. Those Notices of Motion that had been referred on will come back to the Council in due course after they have been discussed at the appropriate Executive Committee.

90. PETITIONS

90.1 The Mayor invited the submission of petitions from Councillors. She reminded the Council that petitions would be referred to the appropriate Committee or Sub-Committee without debate and the Councillor presenting the petition would be invited to attend the meeting to which the petition was referred.

90.2 Councillor McCaffery presented a petition signed by 125 residents concerned about the continued closure of the café at Blakers Park used by parents and children and urging the council to take steps to re-open it as soon as possible in time for the 2004 season.

90.3 Councillor Tonks presented a petition signed by 624 residents requesting changes to the road humps and cushions in Bevendean.

90.4 Councillor Smith presented a petition signed by 40 residents requesting a reduction in Council Tax following the provision of a Leisure Centre at Longhill that they felt had devalued their properties.

90.5 Councillor Elgood presented a petition signed by 23 residents requesting the Council to authorise the installation of a disabled bay near the top of Lower Market Street.

90.6 Councillor Pidgeon presented a petition signed by 60 residents expressing concern at the impact of recent roadworks at the Highview Avenue/Ladies Mile Road crossroads and that may have created more hazards than it was designed to overcome.

91. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

91.1 The Mayor reported that two written questions had been received from members of the public.

Questioner	Subject	Reply by
Mr Nigel Furness	Incinerator at Newhaven	Councillor Bodfish
Mr Christopher Hawtree	Library Service	Councillor John

92. DEPUTATIONS

92.1 The Mayor reported that no Deputations had been received from members of the public.

93. WRITTEN QUESTIONS FROM COUNCILLORS

93.1 The Mayor reminded the Council that Councillors' questions were now taken as read by reference to the list, which had been circulated.

93.2 Questions on the following subjects were replied to by the appropriate Councillor as follows:-

Questioner	Subject	Reply by
Councillor Smith (Supplementary question from Councillor Smith)	Proposed Art Commission and Sports Commission	Councillor John
Councillor Mears (Supplementary questions from Councillor Mears and	Roedean properties	Councillor Bodfish

Questioner	Subject	Reply by
Councillor Smith)		
Councillor Oxley (supplementary questions from Councillor Oxley and Councillor Mrs A Norman)	Telecommunications masts	Councillor Mitchell

94. REPORTS OF COMMITTEES: CALLOVER

94.1 The following items were reserved for discussion:

Committee	Item
Children, Families and Schools Sub-Committee: 15 March 2004	8.1 (a) School Travel Strategy
Environment Committee: 18 March 2004	8.3 (a) Food Law Enforcement Service Plan
Environment Committee: 18 March 2004	8.3 (b) Updated Response to Patcham Place Pavilion Scrutiny
Housing Committee: 25 March 2004	8.4 (a) Housing Strategy 2004-2007
Policy and Resources Committee: 31 March 2004	8.5 (a) 'The Inclusive Council': Programme and Policy 2004/07
Policy and Resources Committee: 31 March 2004	8.5.(b) Amendments to the Constitution
Policy and Resources Committee: 31 March 2004	8.5 (c) Pensions for Councillors
Policy and Resources Committee: 31 March 2004	8.5 (e) Arts Commission Bid to the Cultural Fund

94.2 The Chief Executive moved "That, with the exception of the items reserved for discussion the reports of the Committees appearing under item 8(a) on the agenda with the recommendations or resolutions contained therein be approved and adopted."

94.3 The motion was carried.

95. ORAL QUESTIONS FROM MEMBERS

95.1 There were no oral questions from Councillors on the items that had not been reserved for discussion.

96. SCHOOL TRAVEL STRATEGY

96.1 It was moved by Councillor Hawkes that the report of the Children, Families and Schools Sub-Committee be approved.

96.2 The motion was carried.

97. FOOD LAW ENFORCEMENT SERVICE PLAN

97.1 It was moved by Councillor Mitchell that the report of the Environment Committee be approved.

97.2 The motion was carried.

98. UPDATED RESPONSE TO PATCHAM PLACE PAVILION PLACE

98.1 It was moved by Councillor Mitchell that the report of the Environment Committee be approved.

98.2 The motion was carried.

99. HOUSING STRATEGY 2004/07

99.1 It was moved by Councillor Hazelgrove that the report of the Housing Committee be approved.

99.2 The motion was carried.

100. 'THE INCLUSIVE COUNCIL': PROGRAMME & POLICY 2004/07

100.1 It was moved by Councillor Bodfish that the report of the Policy and Resources Committee be approved.

100.2 The motion was carried.

101. AMENDMENTS TO THE CONSTITUTION

101.1 It was moved by Councillor Bodfish that the report of the Policy and Resources Committee be approved.

101.2 It was moved by Councillor Elgood and seconded by Councillor Watkins that the following be inserted in the Constitution after Council Procedural Rule 14.17:

"14.18 The requirement under Council Procedural Rule 14.15 for a substitute member to be drawn from the same political group as the Member who is unable to attend the meeting shall not apply to the Licensing sub-Committee/Panel."

101.3 Councillor Bodfish accepted the amendment.

101.4 It was moved by Councillor Taylor and Councillor Peltzer Dunn that the recommendations contained in the report be voted separately. On being put to the vote the motion was lost.

101.5 The motion as amended was carried.

102. PENSIONS FOR COUNCILLORS

102.1 It was moved by Councillor Bodfish that the report of the Policy and Resources Committee be approved.

102.2 The motion was carried.

103. ARTS COMMISSION BID TO THE CULTURAL FUND

103.1 It was moved by Councillor Bodfish that the report of the Policy and Resources Committee be approved.

103.2 The motion was carried.

104. REPORT ON THE SCRUTINY REVIEW OF THE WAR MEMORIAL RAILINGS

104.1 It was moved by Councillor Allen that the report of the Scrutiny Review of the War Memorial Railings and the Executive response be approved.

104.2 The motion was carried.

105. NOTICES OF MOTION

(a) Brighton Bears

105.1 The following Notice of Motion was submitted by Councillor Peltzer Dunn and seconded by Councillor Smith:

"This Council congratulates the very successful Brighton Bears Basketball Team on being the 2003/4 national cup winners, the only British team in

Europe (basketball's equivalent to football's European Champions League), finishing third in their group and for being this seasons British Basketball League champions.

The Brighton Bears undertake a voluntary coaching scheme within local schools and the community. The home matches attract a family audience with the Bears encouraging youngsters to participate and become involved in the sport.

Taking into consideration the above and having regard for the immense national media publicity generated by the Bears for the City we need by Council action, to:

1. Acknowledge that Brighton Bears make an important contribution to the sporting well-being of the City and act as ambassadors for Brighton and Hove.
2. Enable them to play all their games in the City, especially their five important European games which by the rules of that competition require playing on a Tuesday in a stadium holding at least 3,000 spectators.
3. Offer a further subsidy (by way of reducing further the charges) for the hiring of the Brighton Centre.
4. Ensure Council involvement in negotiating a new home base for the Bears when the Brighton Centre closes."

105.2 Consideration of this Notice of Motion was referred to the Policy and Resources Committee without discussion under Procedural Rule 9.2.

(b) Civil Partnerships Bill

105.3 The following Notice of Motion was submitted by Councillor Burgess and seconded by Councillor John:

"This council supports the very positive progress that has been made by this Labour Government in recent years in tackling the inequality and discrimination that has been experienced for too long by Lesbian, Gay, Bisexual and Transgender (LGBT) residents and visitors to this City – that progress includes;

- An equal age of consent
- End to the ban on lesbians and gays in the military
- Abolished Section 28
- Widened the definition of hate crimes to include homophobia
- Ended immigration discrimination against lesbian and gay partners
- Updated Sexual Offences legislation

- Produced the Gender Recognition Bill
- Enacted the EU Employment Framework Directive – which prohibits discrimination in the workplace and in vocational training

In addition the government is creating a Commission for Equality and Human Rights (CEHR) from 2006, this will bring the protection of a statutory body to LGBT citizens. We also welcome the recent commitment of Labour's National Policy Forum to charge the new CEHR with drafting a new Single Equalities Act to equalise and enhance equalities legislation, for all those who face discrimination - including members of the LGBT community.

Brighton and Hove is currently one of the few councils in the UK offering gay and lesbian commitment ceremonies. The purpose of such a ceremony is to make a public declaration of life-long commitment, love and dedication between two people – B&H has carried out the highest number of these ceremonies in the UK.

At present the government is progressing its Civil Partnerships Bill through Parliament. If passed it will ensure single sex couples have greatly enhanced property, pension, family and financial rights - if they enter into a Civil Partnership. These rights will make such registered partnerships highly comparable in law to those enjoyed by married couples.

This council looks forward to the enactment of the Civil Partnership Bill, from 2006, so that our City can lead the way in offering Civil Partnerships to our citizens and visitors.

As a council we are in no way complacent at the progress made nationally and locally in tackling equalities issues. We re-affirm our commitment to work with members of the LGBT community, including the current audit of our implementation of the Count Me In Action Plan, so as to make our City the best possible place to live for all our citizens. "

105.4 Councillor Burgess withdrew the Notice of Motion.

(c) European Elections and the BNP

105.5 The following Notice of Motion was proposed by Councillor Burgess and seconded by Councillor Taylor:

" This council notes that in the past voter turnout for the European Parliamentary Elections has been disappointingly low.

This council expresses its grave concern that far right groups such as the British National Party, who have limited support, can benefit from low turnout.

We reject the views of anyone who champions hatred on any grounds.

We welcome the efforts of the non-party political group Unite Against Fascism - who are working to raise awareness amongst the public of the importance of voting so as to defeat extremists.

This council therefore urges electors in our city to make sure that they use their vote on June 10th in a way that shows that this City rejects xenophobia and racism."

105.6 The following amendment was submitted on behalf of the Conservative Group:

"This council notes that in the past voter turnout for the European Parliamentary Elections has been disappointingly low.

This council expresses its grave concern that far right groups such as the British National Party, who have limited support, can benefit from low turnout.

We reject the views of anyone who champions hatred on any grounds.

We welcome the efforts of the non-party political group Unite Against Fascism - who are working to raise awareness amongst the public of the importance of voting so as to defeat extremists.

This council therefore urges electors in our city to make sure that they use their vote on June 10th in a way that shows that this City rejects ~~xenophobia and racism~~ extremism in all its forms."

105.7 Councillor Burgess indicated that the amendment was acceptable.

105.8 The following amendment was submitted by the Liberal Democrats:

"European Elections and the ~~BNP~~ far right

This council notes that in the past voter turnout for the European Parliamentary Elections has been disappointingly low.

This council expresses its grave concern that far right groups ~~such as the British National Party~~, who have limited support, can benefit from low turnout.

We reject the views of anyone who champions hatred on any grounds.

We welcome the efforts of the non-party political group Unite Against Fascism - who are working to raise awareness amongst the public of the importance of voting so as to defeat extremists.

This council therefore urges electors in our city to make sure that they use their vote on June 10th in a way that shows that this City rejects xenophobia and racism.

Furthermore this council agrees to use resources which are freely at its disposal such as City News, press releases and the website to urge residents to vote in the European Elections.

105.9 Councillor Burgess indicated that the amendment was acceptable.

105.10 The Notice of Motion as amended was carried.

(d) Local Authority Pension Fund Forum

105.11 The following Notice of Motion was proposed by Councillor Randall and seconded by Councillor Paskins:

"This council welcomes the decision to include ethical policies in the criteria for selecting bankers for Brighton and Hove City Council. However, it believes that this should be seen only as a first step towards introducing and monitoring ethical policies for all the city council's investments and financial dealings.

This council notes the good work of the Local Authority Pension Fund Forum (LAPFF), which represents 27 local authority pension funds with assets of £40 billion.

In the past two years, among other things, LAPFF has:

- Successfully lobbied TESCO to review its directors' contracts, particularly the "golden parachute" clauses that can result in pay-offs for directors more than five times their annual salary.
- Successfully encouraged 54 per cent of FTSE companies to improve their reporting on greenhouse gas issues - among them Boots, M&S, GlaxoSmithKline and Safeway.
- Monitored companies' labour standards at home and abroad and persuaded Dixons to publish its overseas labour code.

This council believes that East Sussex Pension Fund membership of LAPFF would help raise the fund's ethical investment standards and therefore resolves to request the council's two representatives on the pension fund's board of trustees to raise this issue as a matter of urgency."

105.12 The Notice of Motion was carried.

(e) Brighton & Hove City Council Youth Service

105.13 The following Notice of Motion was submitted by Councillor Simson and seconded by Councillor Smith:

"This Council:

- ◆ Recognises the excellent contribution that the Youth Service makes to the personal and social development of young people in Brighton & Hove.
- ◆ Recognises that Youth Services help to create strong and cohesive communities by bringing together young people from diverse backgrounds and by steering them away from the circumstances that predispose them to involvement in crime.
- ◆ Agrees with the National Youth Agency that "the benefits to the local authority of investing in Youth Services are way beyond the cost of the service itself."
- ◆ Recognises that, nationally, almost 1 million 13-19 year olds make use of local authority youth services every year.
- ◆ Welcomes the commitment of this Council to young people in its Corporate Plan (priority 4: "Thriving 14 year olds able to participate in the life of the city") and in its recent successful application to become a 'Children's Trust'.

However, this Council notes:

- ◆ The Government's intention in *Transforming Youth Work - Resourcing Excellent Youth Services* that all local authorities should aim to achieve a target spend of £100 per head of 13-19 year olds per annum by 2005.
- ◆ In 1999-2000, Brighton & Hove had the sixth lowest spending per head (£34.35) on Youth Services out of all 150 Local Education Authorities.
- ◆ Latest Best Value Performance Indicators (2002/03 – BVPI 33) show little improvement, with Brighton & Hove still in the bottom quartile of unitary authorities (£63.08) and requiring a £36.92 per head increase in funding to achieve the Government's 2005 £100 target.
- ◆ There are significant recruitment and retention problems for Youth Workers both nationally and locally – the 2001 JNC Workforce Survey reported that 45.7% of local authorities report recruitment problems for full-time qualified Youth Workers.

The Anti-Social Behaviour Act 2003 has given local authorities many new powers to clamp down on youth crime in terms of curfews, increased scope for using ASBOs and issuing of fixed-penalty notices for public nuisance offences. However, alongside these new powers, the longer-term deep-seated problems of youth disaffection need to be addressed, and the Youth Service has a vital role to play in this process.

Therefore, this Council resolves to:

- ◆ Increase the budget allocation for the Youth Service for 2005/06 to at least the median level for unitary authorities (£77.65 per head of 13-19 year olds).
- ◆ Investigate new ways of addressing the staff recruitment and retention problems in the Youth Service and to report progress back to the Children, Families and Schools Sub-Committee by 6/9/04."

105.14 Consideration of this Notice of Motion was referred to the Children, Families and Schools Sub- Committee without discussion under Procedural Rule 9.2.

(f) Scrutiny Process

105.15 The following Notice of Motion was proposed by Councillor Peltzer Dunn and seconded by Councillor Elgood:

"There appears to be growing evidence that the Scrutiny process is being delayed / influenced due to insufficient resourcing. This gives the impression that the City Council is purely paying 'lip service' to the process. The very integrity of the process is therefore being questioned.

The City Council therefore notes with concern the insufficient resources dedicated to support the Scrutiny process in order to ensure that it can proceed in an efficient and unfettered manner and requests the Policy and Resources Committee to consider this as a matter of urgency."

105.16 The Notice of Motion was carried.

(g) Healthy Living

105.17 The following Notice of Motion was submitted by Councillor Mrs Norman and seconded by Councillor Peltzer Dunn:

" The City Health Partnership is working to improve health and reduce health inequalities across Brighton and Hove and this Council gave unanimous cross party support to the formal application to become a participating member of the Phase 4 World Health Organisation Healthy Cities Network.

Lifestyle issues, which include the increasing incidence of obesity and diabetes, passive smoking, the lack of opportunity to take adequate exercise and the requirement to actively promote the benefits of a healthy diet have to assume greater significance and awareness if we are to achieve our declared vision to improve the health and well being of everyone living and working in our city.

This Council acknowledges the valuable work of the City Health Partnership and the Brighton and Hove Food Partnership and believes that there is a cross party enthusiasm to take forward the agenda for healthy living.

This Council believes that it is now time to sign up to bolder action to promote this work and to integrate the aims and work of these Partnerships more fully into Council policies.

This Council resolves:

- to ask the Local Strategic Partnership (LSP) to bring forward reports on a regular basis from the City Health Partnership for consideration by the City Council which show the progress being achieved towards reducing obesity and diabetes along with other health related issues. This should ensure that the work of all partners is complementary, self-reinforcing and effective;
- to inform Members of the Council and its employees of the fat, protein and carbohydrate content of the food they are served on Council premises and ensure that "Healthy Eating" options are available at all times. It is important that Members of the Council and its employees can make informed choices about the food they eat, and be seen to be so doing."

105.18 Consideration of this Notice of Motion was referred to the Policy and Resources Committee without discussion under Procedural Rule 9.2.

(h) Webcasting of Council meetings

105.19 The following Notice of Motion was submitted by Councillor Williams and seconded by Councillor Mallender:

"This Council notes the growing interest in or use of webcasting technology (the transmission of a video signal -'streaming'- via the Internet in real-time from a specialised web site) by more than 50 local authorities across the country, including East Sussex County Council, the London Borough of Camden, and the Greater London Assembly.

This Council believes that by adopting webcasting technology to broadcast selected Council meetings of high public interest it will help, among other benefits, to strengthen the Council's democratic accountability to the local community, public understanding of the workings of local government and public participation in the political process between elections. Additionally, this Council believes webcasting could help to increase voter turnout at elections and contribute to the local 'e-government' agenda.

This Council believes that the potential benefits of introducing webcasting technology should be investigated more thoroughly and calls on the Chief Executive to investigate the options and report to the Policy and Resources Committee to enable further consideration of this matter."

105.20 Consideration of this Notice of Motion was referred to the Policy and Resources Committee without discussion under Procedural Rule 9.2.

106. CALL IN AND URGENCY

106.1 The Mayor moved that the report on Call in and Urgency be received.

106.2 The motion was carried.

The meeting concluded at 9.05 pm.

Signed

Mayor

Dated this

day of

2004