

BRIGHTON & HOVE CITY COUNCIL

28 APRIL 2005

4.30PM

TOWN HALL

MINUTES

Present: Councillor Mrs Drake (Mayor); Councillors Allen, Barnett, Battle, Bennett, Bodfish, Mrs Brown, Burgess, Carden, Mrs Cobb, Davidson, Edmond-Smith, Elgood, Fitch, Forester, Framroze, Giebeler, Hamilton, Hawkes, Hazelgrove, Hyde, John, Kemble, Lepper, 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 and Wrighton.

98. DECLARATIONS OF INTEREST

98.1 Councillor Turner declared a personal and prejudicial interest in Item 9b concerning the Notice of Motion on SEERA being the Council's representative on that body and left the meeting whilst it was being discussed.

98.2 Councillor Mitchell declared a personal and prejudicial interest in Item 9c concerning the relocation of the in-patient breast surgery to Haywards Heath as she is employed by the Brighton and Sussex Hospitals NHS Trust and left the meeting whilst it was being discussed.

99. MINUTES

99.1 **RESOLVED** - That the minutes of the meetings of the Council held on 3 March and 10 March 2005 be approved and signed as a correct record of the proceedings.

100. MAYOR'S COMMUNICATIONS

100.1 The Mayor reported that at this year's BBC South Today Community Champions Awards ceremony, the volunteers at Woodingdean Youth Centre were short-listed from hundreds of volunteers of nominations from all parts of the south coast and were awarded the group prize for their work

with young people. Work, which was recognised as having improved the quality of life for young people under 21.

100.2 The Mayor also reported that this recognised the thousands of hours of volunteers time, cleaning, painting, re-varnishing the gym, donations of computers, TV, furniture and cutting the grass. In the summer of 2003, the Centre was going to be condemned but with grants from the Council the volunteers got it back on its feet and from a situation where the statutory youth service were running one session a week for 5 girls, the centre is now open five evenings a week. There is also a fully integrated after school club operating five days a week and an integrated playscheme during school holidays. The centre now caters for 200 young people a week, some with profound and multiple disabilities – all managed by voluntary management committees. And they are not working to capacity. There are big plans for a training centre in the days, parenting groups, and counselling for families.

100.3 The Mayor presented Councillor Dee Simson with the award.

100.4 The Mayor also reported on the outcome of the Bowls Tournament that had taken place on 24 April 2005 at Preston Park. She reported that her team had done very well and that it had been a very successful event.

100.5 The Mayor also reported that Mrs Sandra Gardner would be retiring shortly and that she had had a lot of contact with members as she had been responsible for organising their telephone/fax equipment. The Mayor presented Mrs Gardner with a small gift as a token of her appreciation of her sterling service since Brighton and Hove had merged in 1997 and prior to that with Hove Borough Council.

101. PETITIONS

101.1 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.

101.2 Councillor Barnett presented a petition signed by 376 residents concerning a mobile phone mast at the junction of Hangleton Road and Nevill Avenue in Hangleton.

101.3 Councillor Fitch presented a petition signed by 50 residents concerning a mobile phone mast at the junction of Hangleton Road and Nevill Avenue in Hangleton.

101.4 Councillor McCaffery presented a petition signed by 48 residents concerning wheelie bins in Sandgate Road, Road.

101.5 Councillor McCaffery presented a petition signed by 126 residents concerning wheelie bins in Preston Park Ward.

101.6 Councillor McCaffery presented a petition signed by 60 residents concerning the ban of HGV vehicles in Rugby Road, Brighton.

101.7 Councillor Peltzer Dunn presented a petition signed by 34 residents concerning a mobile phone installation in New Church Road, Hove.

101.8 Councillor Mallender presented a petition signed by 91 residents concerning the ban of HGV vehicles in Rugby Road, Brighton.

101.9 Councillor Elgood presented a petition signed by 91 residents concerning the proposed extension to the nightclub at 5/6 Western Road, Hove.

101.10 Councillor Giebeler presented a petition signed by 347 residents concerning a mobile phone mast on the corner of The Drive and The Upper Drive, Hove.

101.11 Councillor Bennett presented a petition signed by 61 residents concerning a mobile phone mast adjacent to Nevill Road and Court Farm Road, Hove.

101.12 Councillor Norman presented a petition signed by 46 residents concerning wheelie bins in Gordon Road, Brighton.

101.13 Councillor Hawkes presented a petition signed by 23 residents concerning a mobile phone mast at the corner of Coldean Lane and Hawkhurst Road, Brighton.

101.14 Councillor Randall presented a petition signed by 700 residents concerning school admissions criteria.

102. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

102.1 The Mayor reported that four written questions had been received from members of the public.

102.2 Mr John McLeod asked the following question:

“Will the Council tell me how much it receives every year from the sale of council housing (the Right to Buy receipts), whether it reinvests this money in council housing, and if not, what it spends the money on instead?”

Councillor Turner replied. Mr McLeod asked a supplementary question and received a further reply from Councillor Turner.

102.3 Mrs Peggy Thick asked the following question:

"Will the Council tell me why it has allowed the Tenant Evaluation Panel to send out a letter to all tenants which is inaccurate as to the facts, and which I consider to be blatant propaganda for the transfer of council housing to a Housing Association, and from which budget the money was taken?"

Councillor Turner replied. Mrs Thick asked a supplementary question and received a further reply from Councillor Turner.

102.4 Mr Christopher Hawtree asked the following question:

"Can Councillor John please tell us what proportion of those paintings transferred from Hove Museum to Brighton Museum are currently on display in Brighton?"

Councillor John replied. Mr Hawtree asked a supplementary question and received a further reply from Councillor John.

102.5 Mr Malcolm Dawes asked the following question:

"Following the introduction of bins into the Clifton Hill area the Council's Scrutiny Panel reviewed the problems that had occurred with the scheme. They recommended that in future, prior to any decision to introduce new refuse collection schemes in other areas, a clear process for consultation with residents and Ward Councillors should be agreed. However, the recent implementation of wheelie bins into the Preston Park/Fiveways area was carried out without any consultation with residents. All the local Councillors have confirmed that they requested that full consultation should have occurred.

On what basis was the decision made not to consult the residents?"

Councillor Mitchell replied. Mr Dawes asked a supplementary question and received a further reply from Councillor Mitchell.

103. DEPUTATIONS

103.1 The Council heard a Deputation concerning the introduction of wheelie bins into the Preston Park/Fiveways area. Mr Graham Hale was the spokesperson on behalf of residents. Councillor Mitchell replied.

103.2 The Mayor thanked Mr Hale for attending the meeting and speaking on behalf of the Deputation. She explained that the points made had been noted and would now be referred to the appropriate Committee. The persons forming the Deputation would be invited to attend the

Committee meeting and would be informed subsequently of any action taken or proposed in relation to the matters set out by the Deputation.

103.3 The Council heard a Deputation concerning the unfair exclusion of children in East Brighton from secondary schools of preference as a consequence of the Council's change in admission criteria. Mr Laurie Booth was the spokesperson on behalf of residents. Councillor Hawkes replied.

103.4 The Mayor thanked Mr Booth for attending the meeting and speaking on behalf of the Deputation. She explained that the points made had been noted and would now be referred to the appropriate Committee. The persons forming the Deputation would be invited to attend the Committee meeting and would be informed subsequently of any action taken or proposed in relation to the matters set out by the Deputation.

103.5 The Council heard a Deputation concerning a request for a ban on HGV vehicles in Rugby Road, Brighton. Ms Catherine Horner was the spokesperson on behalf of residents. Councillor Mitchell replied.

103.6 The Mayor thanked Ms Horner for attending the meeting and speaking on behalf of the Deputation. She explained that the points made had been noted and would now be referred to the appropriate Committee. The persons forming the Deputation would be invited to attend the Committee meeting and would be informed subsequently of any action taken or proposed in relation to the matters set out by the Deputation.

104. WRITTEN QUESTIONS FROM COUNCILLORS

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

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

Questioner	Subject	Reply by
Councillor Wells (and supplementary question from Councillor Wells)	Replacement of two Victorian lamp standards in Grand Junction Road	Councillor Mitchell
Councillor Kemble	Cycle lanes within the city	Councillor Turton
Councillor Kemble (and supplementary questions from Councillors Kemble and	Wheelie bins being left on the pavement	Councillor Mitchell

Questioner	Subject	Reply by
Peltzer Dunn)		
Councillor K Norman (and supplementary questions from Councillors Norman and Edmond Smith)	Consultations with residents regarding the introduction of wheelie bins	Councillor Mitchell
Councillor Mrs Theobald (and supplementary question from Councillor Mrs Theobald)	The clearance of rubbish from the A27 bypass	Councillor Mitchell
Councillor Mrs Theobald (and supplementary question from Councillor Mrs Theobald)	Renovation of the Rock Shop at the entrance to the West Pier	Councillor Mitchell
Councillor Mrs Theobald (and supplementary questions from Councillors Mrs Theobald and Older)	Start date for renovating the bandstand on the seafront	Councillor Mitchell
Councillor Paskins (and supplementary question from Councillor Paskins)	Overflowing trade rubbish bins on the seafront	Councillor Mitchell
Councillor Taylor (Councillor Taylor was not present and therefore received a written reply)	Allegations processed by the Standards Board for England	Councillor Bodfish
Councillor Allen (and supplementary questions from Councillors Allen and Mallender)	Wheelie bins in Preston Park Ward	Councillor Mitchell

105. REPORTS OF COMMITTEES: CALLOVER

105.1 The following items were reserved for discussion:

Committee**Item**

Environment Committee:
17 March 2005

8.1 (a) Food Law Enforcement
Service Plan

105.2 The Chief Executive confirmed that with the exception of the items reserved for discussion in 105.1 above the reports of the Committees appearing under item 8 on the agenda with the recommendations or resolutions contained therein be approved and adopted. The Council agreed.

106. ORAL QUESTIONS FROM MEMBERS

106.1 There were no oral questions from Councillors on the items, which had not been reserved for discussion.

107. FOOD LAW ENFORCEMENT SERVICE PLAN

107.1 It was moved by Councillor Mitchell that the report of the Environment Committee in relation to the Food Law Enforcement Service Plan be approved.

107.2 The motion was carried.

108. NOTICES OF MOTION**(a) Contraction & Conversion**

108.1 The following Notice of Motion was proposed by Councillor Wrighton and seconded by Councillor Paskins:

"This Council notes:

The Government's recent announcements recognising the serious threat posed to all life on this planet by climate change as a result of increasing greenhouse gas emissions.

That despite last month's enactment of the Kyoto Protocol on Climate Change, scientific consensus now agrees that greater global reductions in carbon emission are urgent and vital.

Early Day Motion 538 has been tabled in the House of Commons, recognising the need for a new global policy to tackle climate change beyond Kyoto.

EDM 538 advocates a policy of contraction and convergence, where all nations seek to reduce their levels of greenhouse gas emissions,

and converge emissions levels towards a point where all citizens of the world are entitled to emit equal amounts of pollutants.

That continued and increasing extreme weather events promoted by Climate Change will cause significant harm to the city and its inhabitants. Being a coastal community we are particularly vulnerable to increases in sea level.

In furtherance of this Council's duty to care for the environmental, social and economic wellbeing of the city, we therefore resolve:

1. To instruct the Chief Executive to request the support of the city's Members of Parliament for this Early Day Motion, and to report back on progress in this regard.
2. For this Council to pursue urgent consideration of how city carbon emissions may be reduced."

108.2 Councillor Edmond Smith moved the following amendment that was seconded by Councillor Mitchell:

"This Council notes:

The Government's recent announcements recognising the serious threat posed to all life on this planet by climate change as a result of increasing greenhouse gas emissions.

That despite last month's enactment of the Kyoto Protocol on Climate Change, scientific consensus now agrees that greater global reductions in carbon emission are urgent and vital.

Early Day Motion 538 has been tabled in the House of Commons, recognising the need for a new global policy to tackle climate change beyond Kyoto.

EDM 538 advocates a policy of contraction and convergence, where all nations seek to reduce their levels of greenhouse gas emissions, and converge emissions levels towards a point where all citizens of the world are entitled to emit equal amounts of pollutants.

That continued and increasing extreme weather events promoted by Climate Change will cause significant harm to the city and its inhabitants. Being a coastal community we are particularly vulnerable to increases in sea level.

In furtherance of this Council's duty to care for the environmental, social and economic wellbeing of the city, we therefore resolve:

1. To instruct the Chief Executive to request after the election the support of the city's Members of Parliament for this Early Day Motion, and to report back on progress in this regard.
2. For this Council to pursue urgent consideration of how city carbon emissions may be reduced."

108.3 Councillor Wrighton indicated that she was prepared to accept the amendment.

108.4 The Motion as amended was carried.

(b) South East England Regional Assembly (SEERA)

108.5 The following Notice of Motion was proposed by Councillor Oxley and seconded by Councillor Peltzer Dunn:

"This Council believes that unelected, unaccountable Regional Assemblies undermine the principles of local democracy and, at a cost of £30 million per annum, are a waste of taxpayers' money which should be put directly into improving local services.

The sole statutory responsibility of SEERA (as laid out under Part 1 of the Planning and Compulsory Purchase Act 2004) is to act as Regional Planning Body for the South East and to produce a Regional Spatial Strategy (The South East Plan). This places a requirement upon SEERA to seek advice, when drawing up, amending and monitoring the South East Plan, from local authorities in the region with strategic planning powers, such as Brighton & Hove City Council. However, this requirement to consult and seek advice holds regardless of whether or not the local authority is a paid up member of SEERA. In addition, the Act provides the Secretary of State with an absolute veto over the content of this Plan and allows him/her to amend it as he/she sees fit.

Furthermore, this Council notes:

- In the recent referendum for an elected regional assembly in the North East of England (the English region considered most likely to embrace regional government), an overwhelming 78% of voters rejected the Government's regional agenda.
- A recent survey by MORI showed that three quarters of people in the South East had never even heard of the South East England Regional Assembly (SEERA) and, of those that had heard of it, 65% knew almost nothing about its function.
- Brighton & Hove City Council has handed over almost £163,000 of council taxpayers' money to SEERA since its inception.

- At its plenary meeting of 2nd March 2005, 70% of SEERA's local authority members voted for its abolition, including the Chair of the Assembly.

Therefore, this Council no longer has any confidence in the South East England Regional Assembly to adequately reflect the needs of Brighton & Hove's residents and calls upon HM Government to abolish SEERA at the earliest opportunity and to distribute its powers to the appropriate levels of directly elected local authorities."

108.6 The following amendment was proposed by Councillor Mallender and seconded by Councillor Randall:

"This Council believes that unelected, unaccountable Regional Assemblies undermine the principles of local democracy and, at a cost of £30 million per annum, are a waste of taxpayers' money which should be put directly into improving local services.

The sole statutory responsibility of SEERA (as laid out under Part 1 of the Planning and Compulsory Purchase Act 2004) is to act as Regional Planning Body for the South East and to produce a Regional Spatial Strategy (The South East Plan). This places a requirement upon SEERA to seek advice, when drawing up, amending and monitoring the South East Plan, from local authorities in the region with strategic planning powers, such as Brighton & Hove City Council. However, this requirement to consult and seek advice holds regardless of whether or not the local authority is a paid up member of SEERA. In addition, the Act provides the Secretary of State with an absolute veto over the content of this Plan and allows him/her to amend it as he/she sees fit.

Furthermore, this Council notes:

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- A recent survey by MORI showed that three quarters of people in the South East had never even heard of the South East England Regional Assembly (SEERA) and, of those that had heard of it, 65% knew almost nothing about its function.
- Brighton & Hove City Council has handed over almost £163,000 of council taxpayers' money to SEERA since its inception.
- At its plenary meeting of 2nd March 2005, 70% of SEERA's local authority members voted for its abolition, including the Chair of the Assembly.

Therefore, this Council no longer has any confidence in ~~the South East England Regional Assembly SEERA in its current form~~ to adequately reflect the needs of Brighton & Hove's residents and calls upon ~~HAA~~ Government to ~~abolish SEERA at the earliest opportunity and to distribute its powers to the appropriate levels of directly elected local authorities.~~ develop an alternative model for Regional Government through a fully democratic and accountable Regional Body, and to seek its public approval through a referendum process."

108.7 On being put to the vote the amendment was lost.

108.8 A vote was then taken on the substantive Motion and there was an equality of votes cast. That being the case the Mayor declared that the Motion was lost as there had not been a positive vote for the Motion.

(c) Proposal to relocate in-patient breast surgery to Haywards Heath

108.9 The following Notice of Motion was proposed by Councillor John and seconded by Councillor Bennett:

"On 25 October 2001, this council unanimously called upon the then Brighton Health Care NHS Trust to reconsider its proposal to move the Nigel Porter Breast Care Unit to the Princess Royal Hospital, Haywards Heath. Brighton Health Care NHS Trust subsequently announced its decision not to relocate the Unit. In 2002, 30,000 people signed a petition to retain breast care in Brighton & Hove and council notes the strong support given to the Pink Dolphin Appeal since then to support a dedicated breast care centre in Brighton.

A consultation document "*Best Care : Best Place*" on proposed developments in the NHS was issued in November 2004. It is now understood that this includes a suggestion that in-patient breast surgery services may transfer from Brighton & Hove to Haywards Heath. Under the proposal, assessment/diagnostics, radiotherapy, chemotherapy and day surgery would remain in Brighton & Hove.

1. This council strongly supports the retention of an holistic breast care service, including in-patient breast surgery, in Brighton & Hove.
2. This council believes that Haywards Heath is too far for people from Brighton & Hove and nearby areas who are seriously ill with breast cancer to have to travel for treatment. We believe that travelling that far would cause patients unnecessary additional stress at a time of great need.
3. This council is worried that providing breast care treatments on different sites would lead to fragmentation of the service and not provide the best possible care for patients.

4. This council notes that most people likely to have breast surgery at Haywards Heath under the proposal would come from Brighton & Hove and the coastal strip. These people would have to spend both time and money in travelling to Haywards Heath for surgery. Brighton & Hove includes a number of areas of deprivation and this proposal would have a disproportionate impact on people from those areas.
5. This council notes that under NHS Improvement Plan "*Creating a Patient-led NHS*" PCTs from 2006 will be responsible for ensuring that acute care patients are offered a choice of local providers. We believe that if a choice of local providers is to be meaningful, it must include at the very least the option of in-patient breast surgery in Brighton & Hove.
6. This council therefore urges Brighton & Hove City Teaching NHS PCT to ensure the full range of breast care services, including breast surgery, remains available in Brighton & Hove."

108.10 The Mayor accepted that in addition to 6 above that a letter is written to the Secretary of State for Health and the Strategic Health Authority seeking their support.

108.11 The Motion as amended was carried.

(d) Tertiary Sewage Treatment

108.12 The following Notice of Motion was proposed by Councillor Burgess and seconded by Councillor Tonks:

"This Council regrets that Southern Water has so far failed to implement even basic secondary sewage treatment for the coastal communities from Portslade to Peacehaven.

If Southern Water had submitted a planning application for a brown-field site over the last seven years then the chances of it having a treatment plant up and running by now would have been greatly increased.

This Council fully backs Surfers Against Sewage in its calls on Southern Water to take the opportunity, of the delays to date, to plan for the addition of tertiary treatment in all of its future plans. Such treatment would also increase the possibility of adding facilities to use discharges to supplement drinking water supplies in future.

Residents, visitors and the environment deserve the best possible level of treatment, which can be achieved with the minimum of cost, if Southern Water bring forward plans, for clean tertiary treated discharges, now."

108.13 The Motion was carried.

(e) Secondary schools admissions policy in Brighton and Hove

108.14 The following Notice of Motion was proposed by Councillor Randall and seconded by Councillor Taylor:

“Given that some children in Elm Grove, Hanover, Kemptown, Queens Park and Whitehawk have failed to get into any of the three schools they nominated this year and that the Schools Admission Team has told their parents that they are given ‘what’s left over’ when the popular schools are full.

And recognising that the admissions system ‘is unfair’ in the words of Director of Children, Families and Schools, David Hawker and that Kemptown MP, Des Turner concedes that parents in East Brighton cannot ‘exercise any meaningful choice whatsoever’ in the secondary education of their children:

This Council calls for:

(1) Immediate steps to rectify this year's unfair geographical exclusion of children in East Brighton from the schools of their choice. If necessary, consideration should be given to opening extra classes in preferred schools.

(2) An all-party review of the school admission criteria so that from next year future generations of East Brighton children do not suffer unfairly.”

108.15 The Motion was referred to the Children, Families and Schools Committee without discussion.

The meeting concluded at 8.40 pm.

Signed

Mayor

Dated this

day of

2005