

# **BRIGHTON & HOVE CITY COUNCIL**

**13 OCTOBER 2005**

**4.30PM**

**TOWN HALL, BRIGHTON**

## **MINUTES**

Present: Councillor Mrs. Drake (Deputy Mayor in the Chair), Carden (Mayor); Councillors Allen, Barnett, Battle, Bennett, Bodfish, Mrs Brown, Burgess, 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, Mrs Simson, Smith, Taylor, Mrs C Theobald, G Theobald, Tonks, Turner, Turton, Watkins, Wells, Williams, Willows, Wrighton and Young.

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### **28. DECLARATIONS OF INTEREST**

- 28.1 Councillor Williams declared a personal and non-prejudicial interest in Item No. 9(e) Notice of Motion on the Availability of Alzheimer's Disease Treatments on the NHS, as he worked for MIND.
- 28.2 Councillor Older declared a personal and non-prejudicial interest in Item No. 9(e) Notice of Motion on the Availability of Alzheimer's Disease Treatments on the NHS, as she was a committee member of the Alzheimer's Society.
- 28.3 Councillor Wells declared a personal interest in Item No. 9(c) Notice of Motion on the Relaxation of Liqueur Licensing in view of the fact that his wife worked for a local public house. He also stated that he would take legal advice prior to consideration of the matter in case he should also declare a prejudicial interest and thereby withdraw from the council chamber for the specific item.
- 28.4 Councillor Theobald declared a personal and non-prejudicial interest in Item No. 9(c) Notice of Motion on the Relaxation of Liqueur Licensing, as he was the current Chairman of LACORS.

### **29. MINUTES**

- 29.1 **RESOLVED** - That the minutes of the meeting of the Council held on 21 July 2005 be approved and signed as a correct record of the proceedings.

### **30. MAYOR'S COMMUNICATIONS**

- 30.1 The Deputy Mayor informed the meeting that the Council had won the Good Beach Guide Award for its beaches at Saltdean, Kemptown and Hove.
- 30.2 Councillor Mitchell informed the meeting that the awards were based on tests carried out during 2004 and the awards were for meeting the clean water standards set by the Marine Conservation Society.
- 30.3 The Deputy Mayor reported that Councillor Brian Fitch had been awarded life membership of the International Association of Peace Messenger Cities (IAPMC), for his commitment and contribution given over 15 years to the IAPMC. She called on Councillor Fitch to receive a certificate from the Association given in recognition of his service.
- 30.4 The Deputy Mayor informed the meeting that Rottingdean had won a silver medal at the national Britain in Bloom awards in the best Coastal Resort category.
- 30.5 Councillor Mitchell stated that this had been a marvellous achievement and also noted that Rottingdean had been awarded a special Britain in Bloom Conservation & Environment Award for Beacon Hill Nature Reserve. Only one such award was given each year. She also wished to recognise the tremendous work and support undertaken by Paddy Magee, who was a working group member and had been awarded a commendation for his work.
- 30.6 Councillor Hyde also wished to pay tribute to the achievements in Rottingdean and hoped that such an excellent example of the community and the council working together could be replicated across the city.

### **31. PETITIONS**

- 31.1 The Deputy 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.

- 31.2 Councillor Mitchell presented a petition signed by 1,072 residents concerning traffic calming in Cowley Drive, Woodingdean.
- 31.3 Councillor Older presented a petition signed by 18 residents of Connaught Road, Hove concerning residents parking.
- 31.4 Councillor Mrs. Giebeler, in conjunction with Councillors Older and Young presented a petition signed by 1,484 residents, concerning the proposed King Alfred Development.
- 31.5 Councillor Kemble presented a petition signed by 117 residents, concerning traffic calming in Marmion Road, Hove.
- 31.6 Councillor Theobald presented a petition signed by 7,200 residents, concerning the proposed Park & Ride site at Braypool.

### **32. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**

- 32.1 The Mayor reported that one written question had been received from a member of the public.
- 32.2 Mr Nigel Furness submitted the following question:

“Would Councillor Bodfish please tell us when all Councillors will be supplied, should they so wish, with a Blackberry device to ease their workload on behalf of their residents?”
- 32.3 Councillor Burgess, having responsibility for performance & resources replied to Mr. Furness. He stated that an Audit & Performance Working Group, reporting to the Overview & Scrutiny Organisation Committee was to be established and he hoped that this group would look at the question of what resources were made available to councillors and put forward recommendations.

### **33. DEPUTATIONS**

- 33.1 The Council heard the following Deputation concerning the Patcham Against Insensitive and Destructive Development Group's view on the proposed Park and Ride schemes for Patcham Court Farm and Braypool. Mr Melvyn Smith was the spokesperson on behalf of residents.

#### **“PETROL AND WATER DON'T MIX**

Some years back the Brighton by-pass was opened. Built to ease the traffic problems in Brighton, particularly around Preston Circus, but including Coldean Lane, Carden Avenue, Winfield Avenue and Vale

Avenue, which were then the roads forming the rat run around Brighton.

There were traffic lights at Vale Avenue with its junction with the A23 forming a crossroads with Mill Road but once the by-pass was up and running the lights were removed and Vale Avenue was blocked off for safety reasons – it being just 20 metres from the new roundabout. Shrubbery was grown to reduce the noise likely to be suffered by local residents.

The initial 105 Park and Ride sites considered by Peter Brett Associates were reduced to 8 preferred sites plus three north of the A27.

However, of those remaining sites, PBA admitted (pages ii and iii) **'there were both strengths and weaknesses and none was superior in all aspects and against all criteria. Some had localised negative environmental impacts, whether in terms of flora and fauna, visual intrusion or noise and air quality.'**

Despite that admission, in the next breath the report added **"the potential reduction in traffic and positive environmental impact on the City was identified as achieving a net overall benefit....."**

#### **TO WHOM ONE MUST ASK...?**

**At that early stage** of the report **nothing** was mentioned about the demolition of residential property or the destruction of dozens of neatly kept allotments or distress of all those effectively being evicted.

**You should know of a grown man openly crying at the thought of losing his family home so it can be demolished merely for others to park cars there.**

**PBA's report later mentions loss of property it also adds warnings of flooding, light pollution as well as pollution to the City's water. The water problem is one you must not ignore even if human suffering is unimportant to you.**

**Had this report been totally honest it should have read.... Not one of these sites is suitable. Instead the investigators merely listed the best of the bad.**

**You are estimating that at rush hour more than 250 vehicles will converge on Patcham Court Farm. 250 vehicles alone is about 1 mile of traffic but add on top goods vehicles and other vehicles going about their daily journeys.**

These 250 vehicles will approach the proposed Patcham Court Farm car park from five different routes. The A23 roundabout is congested enough but then there are the two small roundabouts at the end of the slip roads from the A27 to negotiate.

**Add to this.....a fourth colossal roundabout to be constructed** at the Vale Avenue by-pass approach junction. This is designed to control all five of the lanes leading from and to the A23 roundabout. Four lanes of traffic will compress to one lane to enter Vale Avenue only to meet up with the traffic having travelled northwards in Vale Avenue, some waiting to turn into the park and ride, holding up other traffic wishing to get onto the by-pass.

**Frustrated motorists will use the Hollingbury turn off to Carden Avenue and the back doubles to try and avoid the traffic. They will most likely park in the side streets as well.** Perhaps you have already considered yellow lines or pay and display for Patcham.

**As if by magic opening up Vale Avenue for the buses suddenly becomes 'safe' after all. How on earth can this now be safe when it wasn't before and what about the noise pollution as well as the fumes as buses tick over to enter the A23?**

The bus journey back to the Patcham Court Farm site will – we understand, be via Carden Avenue (traffic lights at the A23) then into Patchdean, Winfield Avenue and Vale Avenue. **We know now why these roads escaped the traffic calming measures installed in Warmdene Road and Ladies Mile Road!!**

Imagine the picture. Evenings are now drawing in rapidly. Darkness from 4pm to 8am. It is cold and damp and residents in Patcham have to put up with continuous car headlights in and out of the park and ride site not to mention the light pollution of illumination of the site itself. Add the noise and the fumes, held down by low cloud and you will have successfully imposed misery on the local residents.

Attempting to clear traffic congestion in town is a bit like the failings of crime prevention. It doesn't solve a problem - it merely diverts it.

We are enraged at the complacent attitude of those of you who support this scheme and the total lack of concern for the citizens of this City whom you are supposed to be representing."

- 33.2 Councillor Turton thanked Mr Smith for presenting the deputation and stated that Council Officers were currently undertaking a very thorough assessment of all the factors associated with a potential park & ride facility at either Patcham Court Farm or Braypool. This was being done with a view to enabling a Member decision in

December as to which, if either, should be the preferred site for Park and Ride.

He assured Mr. Smith that the Council was not ignoring any issue associated with building park & ride at any location in the city. He acknowledged that the potential loss of allotments and houses was mentioned in Peter Brett Associates' Phase II report, and that point 7.7.3 of the report stated 'The loss of Horsdean allotments is a key planning concern'.

He stated that officer investigations included ongoing work with the Environment Agency and Southern Water to ensure that any risk associated with water, be it pollution or flooding, was quantified and mitigated in any design. He also noted that most of Brighton and Hove was above the aquifer and so the issues relating to its pollution were by no means unique to the two sites currently being investigated as potential Park and Ride locations. A similar exercise would need to be gone through for any proposed site.

He suggested that the benefit of a park & ride facility would apply to:

- Everyone in the city who would benefit from reduced traffic in the city centre, and the associated benefits traffic reduction has on health and quality of life.
- Everyone in the city who would benefit from the new jobs, homes, economic and leisure opportunities that the city can offer if an enhanced sustainable transport infrastructure was in place to enable new developments.
- And everyone in the city who would rather see this city as a place for people rather than cars.

He noted that the deputation anticipated 250 cars that would converge on Patcham Court Farm at rush hour. However, it was likely that the cars referred to were already using and would continue to use the routes and junctions around Patcham to reach their destination. Intercepting these cars earlier would mean that other essential traffic, including goods vehicles, would be able to continue their journeys without experiencing the delay (and adding to the congestion) that currently occurs.

With regard to the concerns raised about a "fourth colossal roundabout" he noted that the preliminary plans in Peter Brett Associates' Phase II study indicated a large roundabout could be a potential means of dealing with traffic around a Park and Ride site. However, further work, in partnership with the Highways Agency, had indicated that a signalled junction, along with speed restrictions entering Brighton, was a much more likely solution should the need arise. He also stated that the Highways Agency would expect the

council to demonstrate that any proposal would not add to congestion on the A23/A270 interchange and officers were working with them to achieve this.

The council would also need to demonstrate that any scheme design would be safe in practice. Assuming the deputation refers to the junction between Vale Avenue and the A23, which was closed when the bypass was built, this would not be re-opened in its previous form through any park & ride scheme. The route is currently being investigated as a possible 'bus only' route onto London Road. This option would be subjected to a strict safety audit within the next two weeks to ensure it could operate safely. If the safety audit highlights insurmountable difficulties, an alternative option would be pursued.

The traffic calming scheme you referred to in Warmdene Road and Ladies Mile Road was a 'Safer Routes to School', not a traffic calming scheme. The Safer Routes schemes slow traffic and make it easier to cross the road at points identified by parents and children as being key to their school journeys.

Park & ride is one of a number of measures that used together should help to reduce congestion in the city. It was recognised that park & ride would not single handedly solve the problem of traffic congestion, but it was felt that by contributing to solving the problem, it was much more favourable than doing nothing and accepting a congested city.

He stated that the Administration wished to see a cleaner, greener city, one in which people were the priority, not cars. Park & ride as one strand of the council's transport policy would improve the quality of life of residents, their health and the future economic prosperity of all.

- 33.3 The Deputy Mayor thanked Mr Smith 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.

#### **34. WRITTEN QUESTIONS FROM COUNCILLORS**

- 34.1 The Deputy Mayor reminded the Council that Councillors' questions were now taken as read by reference to the list detailed in Item No. 7 on the agenda.

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

1. Councillor Mrs Theobald (and supplementary question from Councillor Mrs Theobald) When will the Council renovate the art deco bus shelters at the Steine, which are now in a very derelict state?

Councillor Mitchell stated that work was in progress to restore the Grade II listed bus shelters and that it should be completed by March 2006.

2. Councillor Giebeler (and supplementary question from Councillor Giebeler) The Grade 2 listed ticket office, formerly situated north of Hove Station was approved for removal by the Planning Sub-Committee. In view of the Authority's responsibility to its residents, can you please tell me and the public who have sent letters on this issue, its present exact location?"

Councillor Mitchell stated that the ticket office was due to be restored and relocated at the Amberley Museum.

3. Councillor G Theobald (and supplementary questions from Councillors Theobald and Peltzer Dunn) Our traffic planners have directed an ever increasing amount of traffic to and from the city centre via the Seven Dials and Brighton Station but yet for a considerable period of time this route has resembled an uncared for third world city because of the amount of graffiti scrawled across the buildings.

As this is supposed to be the splendid, welcoming city by the sea, would you please let me know when and what you propose to do about this?"

Councillor Mitchell stated that approval for the expansion of the graffiti removal team had been given. She also noted that removal on private properties would be undertaken free of charge for the first occurrence but thereafter a charge would be made. She agreed that there was also a need to look at addressing the problem in other ways i.e. preventing it from occurring in the first place.

4. Councillor Watkins (and supplementary questions from Councillors Watkins and Smith) Could Councillor Mitchell please let me know when the promised review of the local byelaws will be carried out and when the results of such a review will be published?



Councillor Mitchell stated that a review of the Byelaws was in progress and consultation on revised Byelaws was required before they could be approved. She also confirmed that the Maritime Agency had approved the beach and sea byelaws.

5. Councillor Older (and supplementary questions from Councillors Older and Peltzer Dunn)      Could Councillor John please tell us how many books have been disposed of by the Library Service over the past three years because, according to Tony Miller in an Argus article, we are legally required to "completely change and replenish our lending stock every 6.7 years"

Councillor John stated that the policy to dispose of worn out and out of date books had been agreed by the Culture & Tourism Sub-Committee.

6. Councillor Young (and supplementary questions from Councillors Young and Older)      Can Councillor John please tell us whether an application has been made to the Heritage Lottery Fund for help with the renovation work to our Grade II listed Hove Library whose activities are an integral part of the community?

Councillor John stated that the HLF had confirmed that no funding was currently available to support renovation works. She also stated that the information previously requested by Councillor Young would be sent to her shortly.

7. Councillor Forester (and supplementary question from Councillor Williams)      Walking to school not only reduces congestion and pollution but improves the health of children. Therefore, following the representations of the Queen's Park Councillors over the last two years could Councillor Gill Mitchell tell me whether there are any plans to make the area around Carlton Hill School feel considerably safer for children and parents?

Councillor Turton stated that a range of measures were being proposed to reduce traffic speed and consultations with the school were in hand over these and additional signage.

8. Councillor Williams (and supplementary question from Councillor Williams)      Could the Chair or Deputy Chair of the Environment Committee please inform Council how many 'stand-alone' pedestrian crossings are approved and implemented each year in the city, ie those unrelated to transport schemes that have been approved with Government funding?

Councillor Turton stated that a rolling programme for the provision of crossings was maintained. He hoped that this could be utilised to enable proactive action to be taken rather than reactive.

9. Councillor Randall      Bearing in mind the importance of offering school places to the children of asylum seekers and refugees in the city, could the Chair of Children, Families and Schools please tell the Council how many children from this group are in each secondary school in Brighton and Hove?

The Deputy Mayor informed the meeting that the question had been withdrawn.

- 10 Councillor Hyde (and      I refer to the Licensing Act 2003. During recent  
supplementary questions      months, public houses, clubs and off-licences have  
from Councillors Hyde      applied for variation of a premises licence. The  
and Taylor)      proposed activities have included extended hours  
in which alcohol can be supplied and premises  
opened to the public, to allow live acoustic and  
amplified music and recorded music, including  
juke boxes and karaoke.

To meet the licensing objectives of prevention of public nuisance and prevention of crime and disorder, conditions have been applied when granting extended licences. Examples of conditions are:

- Doors and windows to be shut by 11.00pm.
- Outside areas to be cleared by 10.00pm.
- To ensure customers leave premises quietly and in some instances not to use mobile phones outside adjacent family homes.
- That no audible music or vibration can be heard in neighbouring homes.

To ensure the aforementioned objectives are met enforcement will need to be robustly applied. Can the Council inform me how much money has been set aside to cover the cost of this essential enforcement?

Councillor Lepper stated the new legislation enabled the police and the licensing authority to tackle badly managed establishments. She was happy to provide details to all councillors of the associated costs of implementing the new Act.

She stated that following the 2<sup>nd</sup> Appointed Day of the 24<sup>th</sup> November, it was intended to review the internal processes and procedures for dealing with applications. She also hoped that further guidance on reviewing and monitoring the Act from ODPM would be available.

Councillor Lepper also wished to place on record her thanks and appreciation to all the Licensing Panel Members and officers associated with servicing the implementation of the Act.

### **35. REPORTS OF COMMITTEES: CALLOVER**

- 35.1 The Deputy Mayor noted that there was only one report for information on the agenda and having had notice of the desire to speak to the matter, stated that it was automatically reserved for discussion:

<b>Committee</b>	<b>Item</b>
Children, Families & Schools Committee: 5 September 2005	8.1 (a) Placement Stability of Looked After Children

- 35.2 The Chief Executive confirmed that the item set out in 35.1 was reserved for discussion.

### **36. ORAL QUESTIONS FROM MEMBERS**

- 36.1 There were no oral questions from Councillors as the one item had been reserved.

### **37. PLACEMENT STABILITY OF LOOKED AFTER CHILDREN**

- 37.1 Councillor Hawkes introduced the report of the Children, Families & Schools Committee in relation to the Placement Stability of Looked After Children and moved that it should be received for information. She stated that significant progress had been made in the area of looked after children and wished to place on record her thanks to the staff involved for their dedication to the service.
- 37.2 Councillor Mrs. Brown noted that previously the Council had been one of 12 local authorities, which had not met the Government's target for dealing with, looked after children. However, as the audit figures showed, this had since improved and was a welcome

achievement in what was a very difficult area. She believed that there was still further work to be undertaken in areas such as 10-15 year-olds and placements for post 16 year-olds, but also wished to place on record her appreciation of the staff's work and commitment.

37.3 Councillor McCaffery stated that she believed the report showed a positive outcome and welcomed the improvements made, and formerly seconded the report for information.

37.4 Councillor Watkins welcomed the report and also thanked the Sub-Committee Members and officers concerned in bringing the improvements to the service.

37.5 The motion was carried and the report was noted.

### **38. NOTICES OF MOTION**

#### **(a) Dutch Elm Disease**

38.1 The following Notice of Motion was proposed by Councillor Mitchell and seconded by Councillor Bodfish:

"Brighton and Hove is very proud to be the guardian of the National Collection of Elms.

The City Council is committed to working with neighbouring local authorities and the South Downs Joint Committee to control the spread of Dutch Elm Disease across borders.

The proposal by the Forestry Commission to revoke legislation that has been used to help control the spread of Dutch Elm Disease is a matter of great concern. Dutch Elm Disease continues to pose a real and present threat to the beautiful landscape of our city.

The City Council instructs the Chief Executive to write to the Forestry Commission, requesting a reconsideration of its recommendation to revoke the Dutch Elm Disease (Local Authorities) Order 1984, (as amended 1988)."

38.2 Councillor Norman moved the following amendment to the motion, (as highlighted), which was seconded by Councillor Peltzer Dunn:

"Brighton and Hove is very proud to be the guardian of the National Collection of Elms.

The City Council is committed to working with neighbouring local authorities and the South Downs Joint Committee to control the spread of Dutch Elm Disease across borders.

The proposal by the Forestry Commission to revoke legislation that has been used to help control the spread of Dutch Elm Disease is a matter of great concern. Dutch Elm Disease continues to pose a real and present threat to the beautiful landscape of our city.

The City Council instructs the Chief Executive to write to the Forestry Commission, requesting a reconsideration of its recommendation to revoke the Dutch Elm Disease (Local Authorities) Order 1984, (as amended 1988).

**The Environment Committee is requested to reconstitute the DEDCO organisation."**

38.3 Councillor Mitchell accepted the amendment, which therefore became the substantive motion.

38.4 The Motion was carried.

**(b) Microgeneration and Climate Change**

**(d) Climate Change and Sustainable energy Bill and the Management of Energy in Buildings Bill**

38.5 The Deputy Mayor noted that the Motion was similar to that which was listed under Item No. 9(d) on the agenda from Councillor Wrighton. She also stated that whilst it would be usual practice to debate both motions together before taking each one to the vote, she felt that the Labour Motion was more comprehensive and if approved, would effectively mean the Green Motion was superfluous. She therefore asked Councillor Wrighton if she was willing to accept the Labour Motion and for her's to fall.

38.6 Councillor Wrighton acknowledged that the Green Group's Motion, Item No. 9(d) was effectively subsumed within the Labour Group's Motion and therefore need not be taken.

38.7 The following Notice of Motion was proposed by Councillor Edmond-Smith and seconded by Councillor Forester:

"Brighton & Hove City Council:

Recognises that microgeneration (ie the generation by householders installing microunits in their own homes) is a valuable new approach

to engaging people as consumers and citizens in the important issues of climate change and reducing carbon dioxide emissions.

Therefore welcomed the introduction of the Climate Change and Sustainable Energy Bill and the Management of Energy in Buildings Bill into Parliament by a cross party group of MPs on 22 June, noting that together these Bills will:

- a. Require the Prime Minister to report annually to parliament on the level of greenhouse gas emissions
- b. Require the Chancellor of the Exchequer to implement a fiscal strategy to assist with microgeneration and energy efficiency
- c. Require the Government to set national targets for microgeneration and enable local authorities to set such targets if they deem it appropriate
- d. Extend permitted development status to the installation of microgeneration subject to the specifying of safeguards relating to visual and noise effects.
- e. Require utility companies to purchase at a reasonable rate any surplus energy generated by householders via microgeneration
- f. Require future revisions of Building Regulations to take into account the desirability of promoting microgeneration and of introducing an energy generating rating system in new buildings
- g. Enable householders who generate electricity by microgeneration to have access to "renewable obligation certificates" and
- h. Establish a "renewable heat obligation" which requires utility companies to purchase a percentage of the heat that they then sell to their customers from renewable sources.

And therefore

1. Supports the Bills and resolves to inform the Government of the Council's views
2. Urges the Government to support the Bills
3. Urges Brighton & Hove Members of Parliament to be present in Parliament to back these Bills when they are debated in the House of Commons on 11 November
4. Urges local Members of Parliament to sign House of Commons Early Day Motion No 391 in support of these Bills
5. Resolves to inform the local media and the Micropower Council of this resolution
6. Resolves also to support the Sustainable Energy Partnership's submission to the Government consultation on the draft microgeneration strategy (held under section 82 of the Energy Act 2004) which proposes that policies b–g above should be included in the final strategy."

38.8 The Motion was carried.

**(c) Relaxation of Liquor Licensing**

38.9 Prior to the consideration of the item, Councillor Wells declared that having taken legal advice, he wished to declare a personal and prejudicial interest in the matter on the basis that his wife worked in a local public house and therefore withdrew from the meeting.

38.10 The following Notice of Motion was proposed by Councillor Mrs Norman and seconded by Councillor Oxley:

“THIS COUNCIL NOTES:

- The decision to relax liquor licensing from November 2005 has caused concern to be expressed by the Council of Her Majesty's Circuit Judges.
- A commander in the Metropolitan Police Service who is the Association of Chief Police Officers' spokesman on licensing has said, that whilst there are many good parts of the new Licensing Act which ACPO fully support, the Association continues to have concerns about extending the hours during which people can drink given the culture of excessive drinking that already pervades our society.
- The possible extension of licensing hours at licensed premises within quiet residential areas of Brighton and Hove is perceived by many residents in these areas as a threat to their quality of life.

THE COUNCIL RESOLVES THEREFORE:

1. That whilst it would not wish to stifle appropriate new legislation, it calls upon the Chief Executive to write to the Department of Culture, Media and Sport requesting an urgent review of the current legislation, even at this late stage, with support for pilot projects being introduced in some areas of the country in a controlled way.
2. That it believes in this way it will be possible to see if in practice, late licenses will indeed curb bad behaviour as the government predicts, by reducing the number of drinkers heading for home at the same time before the legislation is rolled out."

38.11 Councillor Mallender proposed the following amendment, (as struck out and highlighted), which was seconded by Councillor Watkins:

“THIS COUNCIL NOTES:

- The decision to relax liquor licensing from November 2005 has caused concern to be expressed by the Council of Her Majesty's Circuit Judges.
- A commander in the Metropolitan Police Service who is the Association of Chief Police Officers' spokesman on licensing has said, that whilst there are many good parts of the new Licensing Act which ACPO fully support, the Association continues to have concerns about extending the hours during which people can drink given the culture of excessive drinking that already pervades our society.
- The possible extension of licensing hours at licensed premises within quiet residential areas of Brighton and Hove is perceived by many residents in these areas as a threat to their quality of life.

THE COUNCIL RESOLVES THEREFORE:

1. That whilst it would not wish to stifle appropriate new legislation, it calls upon the Chief Executive to write to the Department of Culture, Media and Sport requesting an urgent review of the current legislation, which may include pilot schemes, ~~even at this late stage, with support for pilot projects being introduced in some areas of the country in a controlled way~~ **and advising that whilst we generally support licensing liberalisation in sensitively selected locations, we remain seriously concerned that resident's amenity interests have not been given sufficient weight in the process of granting licence variations under the new Act.**
2. ~~That it believes in this way it will be possible to see if in practice, late licenses will indeed curb bad behaviour as the government predicts, by reducing the number of drinkers heading for home at the same time before the legislation is rolled out."~~

38.12 Councillor Mrs. Norman accepted the amendment, which therefore became the substantive motion.

38.13 The motion was carried.

38.14 Councillor Lepper proposed the following amendment, (as struck out and highlighted), which was seconded by Councillor Pennington:

"THIS COUNCIL NOTES:

- The decision to relax liquor licensing from November 2005 has caused concern to be expressed by the Council of Her Majesty's Circuit Judges.
- A commander in the Metropolitan Police Service who is the Association of Chief Police Officers' spokesman on licensing has



said, that whilst there are many good parts of the new Licensing Act which ACPO fully support, the Association continues to have concerns about extending the hours during which people can drink given the culture of excessive drinking that ~~already pervades~~ **exists within** our society.

- The possible extension of licensing hours at licensed premises within quiet residential areas of Brighton and Hove ~~is perceived by many residents in these areas as a threat to their quality of life~~ **is a key element of the local licensing policy, which focuses on exercising the new powers responsibly and addressing the legitimate concerns of residents and interested parties.**

~~THE COUNCIL RESOLVES THEREFORE:~~

- ~~1. That whilst it would not wish to stifle appropriate new legislation, it calls upon the Chief Executive to write to the Department of Culture, Media and Sport requesting an urgent review of the current legislation, even at this late stage, with support for pilot projects being introduced in some areas of the country in a controlled way.~~
- ~~2. That it believes in this way it will be possible to see if in practice, late licenses will indeed curb bad behaviour as the government predicts, by reducing the number of drinkers heading for home at the same time before the legislation is rolled out."~~

**THE COUNCIL THEREFORE WELCOMES:**

- 1. The recent statement by Culture Secretary, Tessa Jowell and Licensing Minister, James Purnell, following discussions with the LGA and LACORS to:**
  - i. Monitor and evaluate the licensing reforms, after the second appointed date, and to review the statutory guidance.**
  - ii. Work with a sample of local authorities to monitor how the Licensing Act is being delivered on the ground and whether the system has helped to achieve the aims set out in each area's licensing strategy.**
- 2. The statement contained in the letter from Tessa Jowell and James Purnell, sent to all local authorities on the 30th. September 2005, saying:**

**"There is no presumption in the Act for longer hours over objections from local people and organisations. Where there are objections and the licensing committee believes that changing the hours would undermine the statutory licensing objectives i.e. on crime**

**and disorder, public nuisance, public safety and the protection of children from harm, they can reject the application or grant it with appropriate conditions and/or different hours from those requested."**

38.15 The Motion was lost.

**(e) Availability of Alzheimer's Disease Treatments on the NHS**

38.16 The following Notice of Motion was proposed by Councillor Paskins and seconded by Councillor Williams:

"This Council notes its important role as a provider of social care for older people and people with mental health needs, working with the NHS and other partners.

This Council notes the on-going appraisal of treatments for Alzheimer's Disease on the NHS by the National Institute for Health and Clinical Excellence (NICE). Alzheimer's Disease is a type of dementia, which affects people of all ages but especially older people.

At present, Alzheimer's treatments are available free on the NHS but in its draft report in March 2005, NICE recommended that newly diagnosed patients should not receive the treatments free of charge.

This Council agrees with the 'Action on Alzheimer's Drugs Alliance', a coalition of patient groups and health professionals, that Alzheimer's treatments play an important role in improving quality of life for patients and carers, especially in early stages of the disease.

This Council also notes that NICE accepts that the treatments provide clinical benefits and that, until NICE issues final guidance, free NHS availability of the treatments will continue.

This Council welcomes the decision by NICE to extend the appraisal period before it makes its final recommendation, and notes that NICE has requested more information from manufacturers on the clinical and cost effectiveness of the treatments.

This Council urges NICE to reaffirm the continued free provision of Alzheimer's treatments on the NHS as soon as possible.

Accordingly, Council requests that the Chief Executive write to:

- the Chief Executive of NICE making plain the Council's view.

- the City's three MPs urging them to lobby NICE and the Government and to sign, if they have not already done so, Commons Early Day Motion 662 which expresses similar concerns to this Notice of Motion."

38.17 Councillor Mrs. Norman proposed the following amendment, (as highlighted), that an additional two bullet points should be added to the motion, which was seconded by Councillor Meadows:

"This Council notes its important role as a provider of social care for older people and people with mental health needs, working with the NHS and other partners.

This Council notes the on-going appraisal of treatments for Alzheimer's Disease on the NHS by the National Institute for Health and Clinical Excellence (NICE). Alzheimer's Disease is a type of dementia, which affects people of all ages but especially older people.

At present, Alzheimer's treatments are available free on the NHS but in its draft report in March 2005, NICE recommended that newly diagnosed patients should not receive the treatments free of charge.

This Council agrees with the 'Action on Alzheimer's Drugs Alliance', a coalition of patient groups and health professionals, that Alzheimer's treatments play an important role in improving quality of life for patients and carers, especially in early stages of the disease.

This Council also notes that NICE accepts that the treatments provide clinical benefits and that, until NICE issues final guidance, free NHS availability of the treatments will continue.

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Accordingly, Council requests that the Chief Executive write to:

- the Chief Executive of NICE making plain the Council's view.
- the City's three MPs urging them to lobby NICE and the Government and to sign, if they have not already done so, Commons Early Day Motion 662 which expresses similar concerns to this Notice of Motion.

- **The NICE appraisal committee meets on October 20<sup>th</sup>, having conducted further investigations. A final decision may be issued after the October 20<sup>th</sup> meeting.**
- **Therefore this Council urges HOSP to review the matter in relation to drug treatments for Alzheimer's disease early in 2006.**

38.18 Councillor Paskins accepted the amendment, which therefore became the substantive motion.

38.19 The Motion was carried.

**(f) Penalty Charge Notices**

38.20 The Deputy Mayor reported that the following Notice of Motion would be referred to the Environment Committee without discussion in accordance with Procedural Rule 9.2:

"Following the recent allegations in the Argus regarding the alleged quota's of Penalty Charge Notices to be issued daily by parking attendants, I requested a full inquiry by the Council into these allegations.

To date a satisfactory response has not been received.

In view of this I now request that this Council instigates a FULL and independent inquiry into these allegations.

That the Council investigates the working and training practices of the contractor.

That the results of these inquiries are reported to Full Council."

The meeting concluded at 7.50pm.

Signed

Mayor

Dated this

day of

2005