



**Brighton & Hove  
City Council**

# **COUNCIL ADDENDUM**

**4.30PM, THURSDAY, 20 JULY 2017**

**COUNCIL CHAMBER, HOVE TOWN HALL**



# ADDENDUM

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(a)	<b>Voter Registration for Young People.</b> Proposed by Councillor Taylor (copy attached).	
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(c)	<b>Revised – Commitment to Sustainable &amp; Ethical Procurement.</b> Proposed by Councillor Greenbaum (copy attached).	



**WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**

A period of not more than fifteen minutes shall be allowed for questions submitted by a member of the public who either lives or works in the area of the authority at each ordinary meeting of the Council.

Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion.

The following written questions have been received from members of the public.

**1. QUESTION From: Daniel Harris**

“Following the last full council meeting in which Labour & Tory Councillors voted together to note the anti PSPO Petition rather than explore and debate the petition content, I would like to ask does the Leader of the Council feel there was an acceptable debate around the issue considering over 5k signed this petition?”

**Councillor Morgan, Leader of the Council will reply.**

**2. QUESTION From: Valerie Paynter**

"The long and ongoing silence regarding the King Alfred redevelopment is puzzling to many residents. What can the Administration tell us at this time about internal meetings and discussions with the developers? What progress is being made?"

**Councillor Morgan, Leader of the Council will reply.**

**3. QUESTION From: Christopher Hawtree**

“Would Councillor Robins please tell us how much money the Carnegie Library would receive each year by the proposal to rent out Library space to a café?”

**Councillor Robins, Chair of the Tourism, Development & Culture Committee will reply**



**DEPUTATIONS FROM MEMBERS OF THE PUBLIC**

A period of not more than fifteen minutes shall be allowed at each ordinary meeting of the Council for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes following which one Member of the Council, nominated by the Mayor, may speak in response. It shall then be moved by the Mayor and voted on without discussion that the deputation be thanked for attending and its subject matter noted.

Notification of one Deputation has been received. The spokesperson is entitled to speak for 5 minutes.

**(a) Deputation concerning Air Pollution in Woodingdean****Spokesperson Mr. D. Fitzpatrick**

Supported by:

Tom Wright,  
Jasmine Wighton,  
Penny Steel,  
Philine Harris,  
Ryan Baird,  
Marian Buckley-Petitt,  
Luigi Paino

**Ward affected: Woodingdean**

Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee will reply.

## **18(a) Deputation - Air Pollution in Woodingdean**

Air pollution leads to worsening asthma symptoms, heart disease and even lung cancer. It's been associated with changes in the brain linked to dementia and can lead to children growing up with smaller lungs. Statistics show that in 2010 this kind of pollution led to over 100 early deaths in Brighton & Hove. Residents in Woodingdean have uncovered potentially illegal levels of air pollution – specifically the toxic gas nitrogen dioxide (NO<sub>2</sub>). The results show that children walking to and attending Woodingdean Primary School are particularly affected.

Road transport is the major source of NO<sub>2</sub>, with diesel vehicles being the worst - some emit more than 5 times as much as petrol cars. The EU's legal annual limit for the gas is 40 micrograms per cubic metre. But that limit isn't like a speed limit, where 49 in a 50 zone avoids speeding fine. Pollution levels below the limit are still bad for your health. We monitored 12 sites, for 2-4 weeks. The results give a snapshot for that period, and aren't directly comparable to annual data. However, if levels were as bad across the year as for the duration of our study it could mean at least one site would be blighted by illegally polluted air. The main crossroads in Woodingdean is significantly above the legal limit. Two other sites are very close to breaching the limit, one of which is where school children cross the road to get to school twice a day.

Diesel vehicles and the heavy build-up of traffic in Woodingdean is likely to be one of the drivers for this. There's been a clear increase in traffic through the village, most recently due to traffic related to redevelopment of the Royal Sussex Hospital site being routed through the village. We'd like to see what can be done to the traffic lights at the crossroads of Falmer and Warren Roads and Warren Way, to improve the flow of traffic and reduce the amount of stationary traffic. However, this must not be done at the expense of pedestrians who need to cross this junction. We'd like to make it clear that this isn't an issue solely for Woodingdean, it's a city wide problem. As such, we're very keen not to just shift the problem somewhere else. Instead we'd like the council to look seriously at citywide traffic reduction alongside bringing in measures to see the dirtiest vehicles restricted from sensitive areas and encourage the transition to cleaner vehicles as quickly as possible. We'd like the hospital trust to urgently review the construction vehicles being routed through Woodingdean with a view to ensuring only those that have the cleanest EURO VI engines are used.

To tackle traffic levels, the council needs to take a stronger line on new developments with lots of car parking, which generally just create more traffic, causing more congestion and pollution. It also needs to give more focus to improving choice so that people have genuine alternatives to using a car. That means greater bus priority and a significant investment in walking and cycling infrastructure. For example, with the advent of the e-bike, even in Woodingdean, there could be real opportunities to reduce car traffic if the roads were made to feel safer and cycle friendly.

Suggestions from pupils at Woodingdean primary school involved in the monitoring include diverting vehicle traffic away from Woodingdean. This sounds a quick and easy solution but the likelihood is that this will just shift the problem to another community in the city. The pupils also suggested getting more children to walk to school (fewer car journeys dropping off children) and educating drivers about the problem and the impact it has on others.

Please refer this matter to the Environment, Transport & Sustainability Committee for debate.

Thank you.

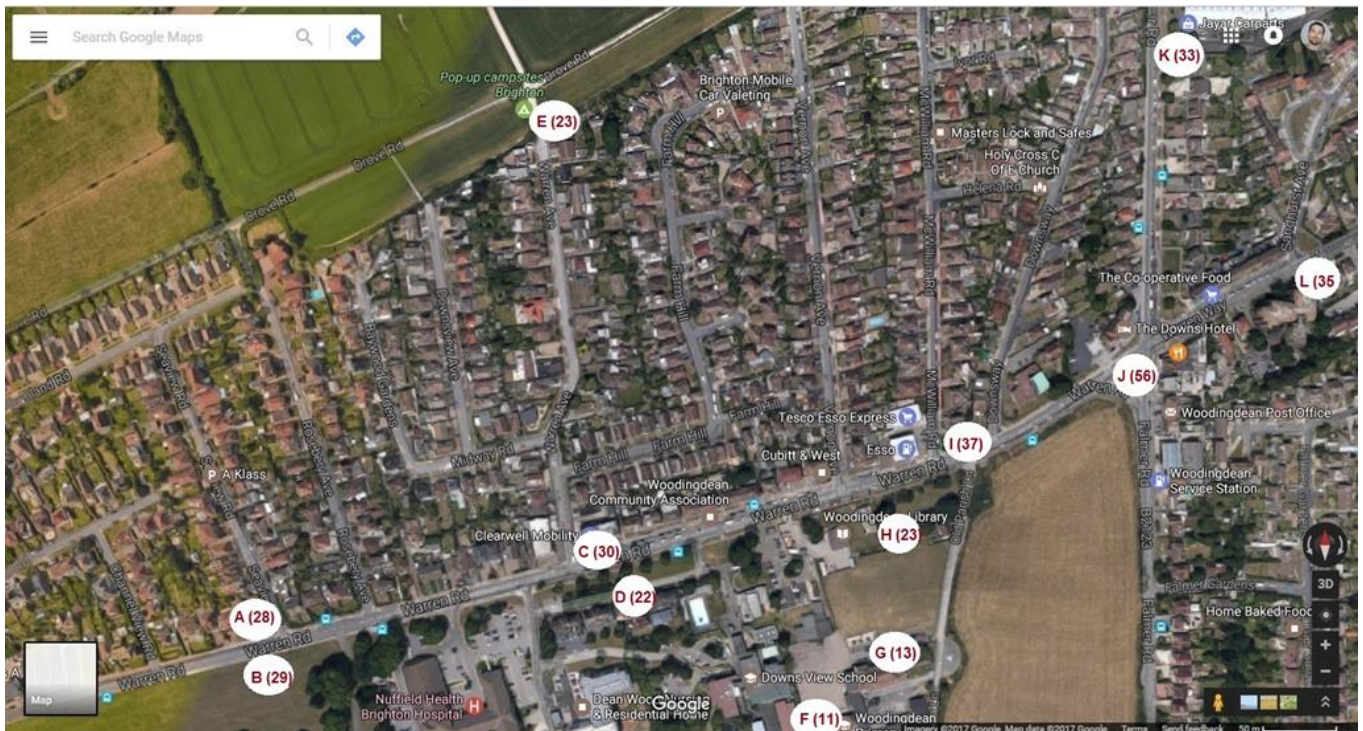


Results in full

We monitored levels of nitrogen dioxide (NO<sub>2</sub>) at 12 sites, for between 2-4 weeks. The results provide a snapshot of NO<sub>2</sub> pollution for that time. If air pollution were as bad across the year as it has been for the duration of our study this could mean that at least one site would be blighted by illegally polluted air.

<b>Location</b>	<b>NO<sub>2</sub> micrograms per cubic metre</b>	<b>Shown on map as</b>
142 Warren road Brighton, BN2 6DD	29.04	A
144A Warren Road, Brighton, BN2 6DD	27.68	B
106 Warren Road, Brighton, BN2 6BA	29.74	C
Oak Cottage Nursery, Oak Cottage, Warren road, Brighton BN2 6DA	22.25	D
42 Warren Avenue, Woodingdean BN2 6BJ	22.84	E
Woodingdean Primary School, Warren Rd Brighton, BN2 6BB	10.57	F
Woodingdean Primary School, Warren Rd Brighton, BN2 6BB	12.81	G
Woodingdean Medical Centre, Warren road Brighton, BN2 6BA	23.36	H
Holy Cross C of E Church, Downsway, Brighton, BN2 6BD	36.76	I
The Downs Hotel, Warren Road Brighton, BN2 6BB	56.16	J
576 Falmer Road, Brighton, BN2 6NA	33.28	K
38 Warren Way, Brighton, BN2 6PJ	34.98	L

Map of results (also available at <http://bit.ly/2slJGqy>)



Source for statistics of early death from air pollution in Brighton and Hove collate figures of early deaths across the country by local authority from particulate matter (PM) – one type of harmful air pollution. See page 15 for details of Brighton and Hove.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/332854/PHE\\_CRCE\\_010.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/332854/PHE_CRCE_010.pdf)

**WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions listed on pages 59 - 60 of the agenda have been received from Councillors and will be taken as read along with the written answers listed below:

**(a) Councillor Barnett**

“Could the Chair of the Housing & New Homes Committee outline whether Hangleton Bottom would provide suitable land for much needed housing it were to be removed from the current East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan?”

**Reply from Councillor Mitchell Chair of the Environment, transport & Sustainability Committee**

As required by the government, potential sites suitable for waste and recycling management have to be set out in a strategic plan. The East Sussex, South Downs and Brighton & Hove Waste and Minerals Site Plan was adopted at Full Council in February 2017. The content of the Plan was considered by an independent planning inspector appointed by the Secretary of State during a public examination in summer and autumn 2016. During the course of the examination the inspector raised concerns as to whether the Plan included sufficient safeguarded sites to deliver the new waste management capacity that is required in East Sussex and Brighton & Hove over the Plan period to 2026, especially as one of the previously safeguarded sites, Sackville Coal Yard, had been deleted from the Plan during the examination period. He concluded that, on balance, there are sufficient sites and that the evidence supported the inclusion of Hangleton Bottom.

If Hangleton Bottom were to be removed, this would reduce the number of safeguarded sites by a third and result in there being no safeguarded sites in Brighton & Hove. Given the inspector’s conclusions it is highly likely an additional site would have to be found elsewhere. Waste management is essential infrastructure required to support new development and economic growth and Brighton & Hove, as the largest urban area, is one of the main generators of waste in the Plan Area. It is important that adequate provision is made to manage waste in the future and to facilitate the continued shift away from landfill.

So although we appreciate that you are raising the issue of suitable sites for housing, and we welcome any support from the Conservative group with respect to the provision of new housing, Hangleton Bottom is not applicable for the reasons as outlined above.

**(b) Councillor Miller**

“Could Councillor Robins please clarify the Council’s legal position in regard to the staging of the annual Naked Bike Ride?”

## **Reply from Councillor Robins – Chair of the Tourism, Development & Culture Committee**

As a highway authority, Brighton & Hove City Council may place temporary restrictions on traffic within its area by way of a Traffic Regulation Order (TRO) made under Parts I and II of the Road Traffic Regulation Act 1984, as amended, or by using powers available to them under section 21 of the Town Police Clauses Act 1847. That process may be used in a situation where (amongst other things) there is a likelihood of danger to the public or obstruction is considered to have been/ will be created. However the naked bike ride is classed by the police as a demonstration rather than an event and as a result the police retain sole responsibility for regulating all aspects of it. [This is to be contrasted with the situation in relation to the London to Brighton bike ride, for instance, which involves a far greater number of participants and is classed as a charity event].

Because the police and not the Council regulate the naked bike ride, it is the police which has responsibility for managing any complaints which are received in and have powers to liaise with the organisers re the route and/or to arrest where the cyclists' behaviour is considered to be inappropriate and/or if it is likely to cause distress. The police are empowered to take any action they consider necessary, including by using S5 of the Public Order Act 1986 which prohibits the display of any writing, sign or other visible representation which is threatening, abusive or insulting, within the hearing or sight of a person that is likely to cause harassment, alarm or distress. Those powers are not available to the Council.

### **(c) Councillor Sykes**

“Please provide an update on the status of these BHCC fees and charges:

- Highways and skip licence income against projections in Q1 2017-18
- Highways hoarding licence income against projections in Q1 2017-18
- Building control inspections income against projections in Q1 2017-18
- Local Authority Land Charge Search fee income against projections in Q1 2017-18”

## **Reply from Councillor Hamilton – Deputy Chair (Finance) of the Policy, Resources & Growth Committee**

We are at an early stage of the year and forecasts can change significantly over the remainder of the year. However, as at Month 3 (June) the income for Skips and Scaffold licenses and Land Charge Search Fees would appear to be on target, while Hoarding license income is ahead of schedule, and Building Control Inspection income is somewhat down. In the case of Building Control, it is not yet clear whether or not the lower than expected income is due to the increase in the fees & charges or other general market factors.

The table below summarises the budget, income to date and forecasts.

Revised Fee & Charge Area	Full Year Budget £'000	Budget to Date (June) £'000	Actual to Date (June) £'000	(Over) / Under to Date (June) £'000	Full Year Forecast £'000	Full Year Forecast (Over) / Under £'000	Comments
Skip and Scaffold	177	44	47	(3)	177	0	Forecast to be on target
Hoarding	99	25	81	(56)	tbc	tbc	Forecast to be reviewed but a surplus anticipated.
Building Control Inspections	627	157	122	35	tbc	tbc	Forecast to be reviewed but a deficit anticipated. However, it is not clear if this is related to the increase in fees & charges or other factors.
Land Charge Search Fee	630	158	180	(22)	630	0	Income tends to drop in the winter so "on target" reported despite surplus to date.



**Revised list circulated for information:**

### **ORAL QUESTIONS FROM COUNCILLORS**

A period of not more than 30 minutes is set aside for oral questions from Members, at the expiry of which, the Mayor will call a halt and proceed to the next item of business of the agenda. Any Member whose question then remains outstanding will be contacted to determine whether they wish to have a written answer provided or for their question to be carried over to the next meeting.

The following Members have indicated that they wish to put questions to the Leader, Chairs of Committees or Members of the Council that have been appointed to an outside body. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion:

**(a) Councillor Janio**

*Subject matter: Gateway to the South Downs National Park*

**Reply from Councillor Robins – Chair of the Tourism, Development & Culture Committee**

**(b) Councillor Page**

*Subject matter: Secondary School Places in 2018*

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

**(c) Councillor Mears**

*Subject matter: Maintenance Contracts in Housing*

**Reply from Councillor Meadows – Chair of the Housing & New Homes Committee**

**(d) Councillor Phillips**

*Subject matter: Youth Services*

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

**(e) Councillor C. Theobald**

*Subject matter: Public Toilets*

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

**(f) Councillor Sykes**

*Subject matter: Cuts in Public Services*

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

**(g) Councillor Deane**

*Subject matter: Surrey Street*

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

**(h) Councillor Knight**

*Subject matter: Health and Emotional Wellbeing of Looked After Children*

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



**Council**20<sup>th</sup> July 2017**Agenda Item 23**

Brighton &amp; Hove City Council

<b>Subject:</b>	<b>Orbis Joint Committee – Extract from the proceedings of the Policy, Resources &amp; Growth Committee meeting held on the 13 July 2017</b>		
<b>Date of Meeting:</b>	<b>20 July 2017</b>		
<b>Report of:</b>	<b>Executive Lead for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>John Peel</b>	<b>Tel:</b> 01273 291058
	<b>E-mail:</b>	<a href="mailto:john.peel@brighton-hove.gov.uk">john.peel@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	All		

**FOR GENERAL RELEASE*****Action Required of Council:***

To receive the item referred from the Policy, Resources & Growth Committee for decision:

**Recommendations:**

1. That the establishment of the Orbis Partnership Joint Committee with effect from 1<sup>st</sup> April 2017, constituted in accordance with the Terms of Reference set out at Appendix 1 be agreed;
2. That it be noted the appointment of the Joint Committee is dependent upon all the bodies represented on the Joint Committee agreeing that it be appointed;
3. That delegated authority be granted to the Chief Executive and the Executive Director Finance & Resources to take all measures necessary for or incidental to (i) the implementation of recommendations (2.2.1) and (2.2.2) above, and (ii) the on-going management and administration of the Joint Committee;
4. That the Monitoring Officer be instructed to amend the council's constitution to reflect the establishment of the Joint Committee; and
5. That the appointment of Councillors Hamilton and Wealls to the Orbis Joint Committee be agreed.

**BRIGHTON & HOVE CITY COUNCIL**  
**POLICY, RESOURCES & GROWTH COMMITTEE**

**4.00pm 13 JULY 2017**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Morgan (Chair), Hamilton (Deputy Chair, Finance), Janio (Opposition Spokes), Mac Cafferty (Spokes), Bell, Mitchell, Peltzer Dunn, Sykes, Wealls and Yates.

**PART ONE**

**27 ORBIS JOINT COMMITTEE**

- 27.1 The Committee considered a report of the Executive Lead, Strategy, Governance & Law that sought endorsement of the planned governance arrangements for the Orbis Partnership, prior to the arrangements being presented to Full Council for approval.
- 27.2 Councillor Yates asked how far the other partners had progressed with approving the arrangements.
- 27.3 The Executive Lead, Strategy, Governance & Law clarified that Surrey County Council and East Sussex County Council were already members of the Orbis Joint Committee and their respective Cabinet meetings had approved that decision. This element of the process was to approve Brighton & Hove City Council join that partnership.
- 27.4 Councillor Wealls asked how the Chair of the Orbis Joint Committee would be appointed and how the agenda would be set.
- 27.5 The Executive Lead, Strategy, Governance & Law stated that the partnership was one of equals and the Terms of Reference set out that the Chair for each meeting would be a Member of the Council from where the meeting was being held with venues rotating between ESCC, SCC and BHCC. The Executive Director, Finance & Resource clarified that the agenda was underpinned by proposals from the three members of the Orbis Joint Management Board. A proposed agenda was sent to the Members of the Orbis Committee and feedback taken into account. In doing so, the founding principles of equal partnership are observed.
- 27.6 Councillor Mac Cafferty noted that the membership principles for the Orbis Joint Committee were similar to that of the Greater Brighton Economic Board whereby the council was represented by Members from the administration and official opposition group. Councillor Mac Cafferty noted that the Greater Brighton Economic Board had a

call-in provision and asked if there was some oversight in the Terms of Reference for the Orbis Joint Committee as it did not detail the same.

- 27.7 The Executive Lead, Strategy, Governance & Law stated that whilst the Terms of Reference did not explicitly refer to a call-in function, paragraph 3.1 set out that the Orbis Joint Committee had a role of oversight and performance management and any key decisions would have to be considered by each authority separately. In the unlikely event that was necessary, any key decisions would be reported to the Policy, Resources & Growth Committee. The Executive Director, Finance & Resource supplemented that the next major decision to be taken by the Orbis Joint Committee would concern consideration and potential approval of the three year business plan and that would be reported to this committee for decision.
- 27.8 **RESOLVED TO RECOMMEND-** That the Policy, Resources & Growth Committee recommends to Full Council on 20<sup>th</sup> July 2017 the establishment of the Orbis Joint Committee with effect from 1<sup>st</sup> April 2017, details of which are set out in Appendix 1 of this report.



<b>Council</b>	<b>Agenda Item 25(a)</b>
20 <sup>th</sup> July 2017	Brighton & Hove City Council

**NOTICE OF MOTION**

**VOTER REGISTRATION OF YOUNG PEOPLE**

**CONSERVATIVE GROUP AMENDMENT**

That the motion be amended to insert those words shown in ***bold italics***

This council:

Requests the Chief Executive explores working with the local universities and local colleges as applicable, in order to discuss the potential for the implementation of the “Sheffield model” voter registration approach for students in time for the September 2017 student intake ***and work with the Government on their investigation and review of double voting; and***

***Acknowledges the work undertaken by the Electoral Services team that resulted in increased numbers of registered voters, including younger people, for the May 2017 General Election and welcomes their current efforts.***

Proposed by: Cllr Nick Taylor

Seconded by: Cllr Miller

Supported by: Conservative Group of councillors

Recommendation if carried to read

This council:

Requests the Chief Executive explores working with the local universities and local colleges as applicable, in order to discuss the potential for the implementation of the “Sheffield model” voter registration approach for students in time for the September 2017 student intake and will work with the Government on their investigation and review of double voting; and

Acknowledges the work undertaken by the Electoral Services team that resulted in increased numbers of registered voters, including younger people, for the May 2017 General Election and welcomes their current efforts.



**NOTICE OF MOTION****OFF-PLAN SALES****CONSERVATIVE GROUP AMENDMENT**

That the motion be amended to delete the words as struck through and insert those shown in ***bold italics***

This Council requests that:

(1) The Chief Executive writes to Secretary of State for Communities and Local Government to seek the ~~immediate~~ introduction of ***new primary legislation*** ~~powers~~ for all local councils ***Authorities*** to ring-fence for a prescribed period of time – as determined locally - the sale of properties 'off-plan' at a discount to:

- ***first-time buyers who are local residents who have expressed an interest following a call for such expression of interest,***
- Registered Providers, ***and***
- Local Councils.
- ~~and local residents who have expressed an interest following a call for such expression of interest~~

After which prescribed period of time such properties would then be offered ~~or~~ available to ***all other potential buyers, prior to*** UK commercial and overseas investors;

(2) ***That prior to the implementation of any guidance received, a report be produced and presented to Tourism, Development & Culture Committee to advise the likely impact such powers will have on:-***

- a) future housing development projects by private entities in the City,***
- b) local property prices,***
- c) potential additional homes provided, and***
- d) quantity of and proportion by development set aside for affordable homes.***

Proposed by: Cllr Robert Nemeth

Seconded by: Cllr Mary Mears

Supported by: Conservative Group of Councillors

Recommendation if carried to read:

(1) The Chief Executive writes to Secretary of State for Communities and Local Government to seek the introduction of *new primary legislation* for all local Authorities to ring-fence for a prescribed period of time – as determined locally - the sale of properties 'off-plan' at a discount to:

- first-time buyers who are local residents who have expressed an interest following a call for such expression of interest,
- Registered Providers, *and*
- Local Councils.

After which prescribed period of time such properties would then be offered to all other potential buyers, prior to UK commercial and overseas investors;

(2) That prior to the implementation of any guidance received, a report be produced and presented to Tourism, Development & Culture Committee to advise the likely impact such powers will have on:-

- a) future housing development projects by private entities in the City,
- b) local property prices,
- c) potential additional homes provided, and
- d) quantity of and proportion by development set aside for affordable homes.



<b>Council</b>	<b>Agenda Item 25(c)</b>
20 <sup>th</sup> July 2017	Brighton & Hove City Council

**REVISED 20.07.17**

**NOTICE OF MOTION**

**GREEN GROUP OF COUNCILLORS**

**COMMITMENT TO SUSTAINABLE AND ETHICAL PROCUREMENT**

At the request of the Proposer there is a correction to the wording as shown in bold italics and deletion of the sentence as struck through.

“This Council notes previous work undertaken under Administrations of all colours in developing local policy on environmental and social sustainability, and calls on the Council to update and deepen its ~~Sustainability~~ ***Sustainable Procurement*** Policy (last updated December 2014) by resolving to:

Request that the Procurement Advisory Board (PAB) explore the adoption of a new international guidance framework for Sustainable Procurement (ISO 20400 quality standard) as a best practice benchmark for our Council, thereby providing leadership in this area and demonstrating the high standard we expect in quality, sustainability and ethical procurement from our suppliers, and that PAB provide a report on this work to the Policy, Resources & Growth Committee.”

Proposed by: Councillor Greenbaum      Seconded by: Councillor Sykes

Supported by: The Green Group of Councillors

**Supporting Information**

Procurement in the public sector accounts for 12% of GDP and BHCC spends more than £220m annually with third party suppliers. We must be confident that our suppliers have ethical and sustainable practices covering areas such as working conditions, risk management and environmental protection and that cost is not being prioritised over these criteria. Our measurement of this must be robust. ~~The Council's current sustainability policy was last updated in 2014 and contains no reference to procurement.~~

The ISO 20400 standard supports the Council's commitment to sustainability by providing clear guidance on how it can be measured and implemented during procurement.

<https://www.iso.org/news/Ref2178.html>

The quality standard will support the Council by providing good practice guidance on how to make sustainable and ethical purchasing and procurement decisions. It has potential to establish Brighton and Hove as a beacon of best practice, securing the best procurement deals to meet the needs of citizens, society and planet as well as budgetary needs.

Adhering to an international standard in sustainable procurement will send a clear message to suppliers and residents about the high standard we expect.

