

Council

Date: **2 February 2023**

Time: **4.30pm**

Venue: **Hove Town Hall - Council Chamber**

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

Contact: **Anthony Soyinka**
Head of Democratic Services
01273 291006
anthony.soyinka@brighton-hove.gov.uk

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Chief Executive
Hove Town Hall
Norton Road
Hove BN3 3BQ

Date of Publication - Wednesday, 25 January 2023

AGENDA

Part One

Page

69 DECLARATIONS OF INTEREST

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the Monitoring Officer or Democratic Services Officer preferably before the meeting.

70 MINUTES

To approve as a correct record the minutes of the last Council meeting held on the 15 December 2022 will be circulated separately as part of an addendum for the meeting.

Contact Officer: Anthony Soyinka

Tel: 01273 291006

71 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

72 TO RECEIVE PETITIONS AND E-PETITIONS

To receive any petitions to be presented to the Mayor by members of the public and/or Members as notified by the due date of 19 January 2023 (10 working days).

73 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

A list of public questions received by the due date of 12noon on the 27 January 2023 will be circulated separately as part of an addendum for the meeting.

74 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

A list of deputations received by the due date of 12noon on the 27 January 2023 will be circulated separately as part of an addendum for the meeting.

PETITIONS FOR DEBATE

Petitions to be debated at Council. Reports of the Executive Director for Governance, People & Resources.

75 CALL OVER FOR REPORTS OF COMMITTEES

- (a) Call over (items 78 - 81) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.
- (c) Oral questions from Councillors on the Committee reports, which have not been reserved for discussion.

76 WRITTEN QUESTIONS FROM COUNCILLORS

9 - 16

A list of the written questions submitted by Members has been included in the agenda papers. This will be repeated along with the written answers received and will be taken as read as part of an addendum circulated separately at the meeting.

Contact Officer: Anthony Soyinka

Tel: 01273 291006

6.30 - 7.00PM REFRESHMENT BREAK

Note: A refreshment break is scheduled for 6.30pm although this may alter slightly depending on how the meeting is proceeding and the view of the Mayor.

77 ORAL QUESTIONS FROM COUNCILLORS

17 - 18

A list of Councillors who have indicated their desire to ask an oral question at the meeting along with the subject matters has been listed in the agenda papers.

Contact Officer: Anthony Soyinka

Tel: 01273 291006

REPORTS FOR DECISION

78 APPOINTMENT OF INDEPENDENT PERSON(S)

To follow

Report of the Executive Director Governance, People and Resources.

Contact Officer: Elizabeth Culbert

Tel: 01273 291515

Ward Affected: All Wards

79 DEVELOPMENT OF AN ACCESSIBLE CITY STRATEGY

19 - 90

Report of the Executive Director Housing, Neighbourhoods and Communities.

Contact Officer: Emma McDermott

Tel: 01273 296805

Ward Affected: All Wards

REPORTS REFERRED FOR INFORMATION

80 ANNUAL REVIEW OF STANDARDS-RELATED MATTERS, INCLUDING MEMBER COMPLAINTS 91 - 110

Report of the Executive Director Governance, People and Resources.

Contact Officer: Victoria Simpson

Tel: 01273 294687

Ward Affected: All Wards

81 PUBLIC TOILETS 111 - 168

Report of the Executive Director, Economy, Environment & Culture.

Contact Officer: Rachel Chasseaud

Tel: 01273 290753

Ward Affected: All Wards

NOTICES OF MOTION

The following Notices of Motion have been submitted by Members for consideration:

82 GET ME HOME SAFELY 169 - 170

Proposed by Councillor Platts on behalf of the Labour Group

83 RESTORING BASIC SERVICES 171 - 172

Proposed by Councillor Wilkinson on behalf of the Labour Group

84 INSOURCING 173 - 174

Proposed by Councillor Nemeth on behalf of the Conservative Group.

85 UTILISATION OF EMPTY COUNCIL BUILDINGS 175 - 176

Proposed by Councillor McNair on behalf of the Conservative Group.

86 FOOD AND LABOUR SHORTAGES 177 - 178

Proposed by Councillor Druitt on behalf of the Green Group.

87 VOTER ID 179 - 180

Proposed by Councillor John on behalf of the Green Group.

88 CLOSE OF MEETING

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

Note:

1. *The Mayor will put the motion to the vote and if it is carried will then:-*

(a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that*

have been moved to the vote first;

- (b) Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.

- (c) Following completion of the outstanding items, the Mayor will then close the meeting.*

- 2. If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*
- 3. Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

Once all the remaining items have been dealt with the Mayor will close the meeting.

FOR INFORMATION

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

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Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

Access notice

The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. The lift cannot be used in an emergency. Evac Chairs are available for self-transfer and you are requested to inform Reception prior to going up to the Public Gallery. **For your own safety please do not go beyond the Ground Floor if you are unable to use the stairs.**

Please inform staff on Reception of this affects you so that you can be directed to the Council Chamber where you can watch the meeting or if you need to take part in the proceedings e.g. because you have submitted a public question.**Fire & emergency evacuation procedure**

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

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- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so

Further information

For further details and general enquiries about this meeting contact Anthony Soyinka, (01273 291006, email anthony.soyinka@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Brighton & Hove City Council

Council

Agenda Item 76

Subject: Written questions from Councillors.

Date of meeting: 2 February 2023

Report of: Executive Director for Governance, People & Resources

Contact Officer: Name: Anthony Soyinka
Tel: 01273 291006
Email: anthony.soyinka@brighton-hove.gov.uk

Ward(s) affected: All

For general release

The following questions have been received from Councillors and will be taken as read along with the written answer detailed below:

1. Councillor Grimshaw

Housing Repairs:

How many repair call outs for both Brighton & Hove City Council and KTS have been recorded as 'resident not home' over the past two years?

Reply from Councillor Gibson / Hugh-Jones, Joint Chairs of the Health & Wellbeing Board

2. Councillor Grimshaw

Boiler Repairs:

Can the Chair of Housing confirm how many emergency call outs for repairs to boilers not working were the result of batteries running out in thermostats – in relation to the total number of emergency calls outs for boiler repairs?

Reply from Councillor Gibson / Hugh-Jones, Joint Chairs of the Housing Committee

3. Councillor Sankey

Budget Deficit:

Can the Leader of the Council tell me what proportion of this year's budget deficit can be attributed to flawed assumptions and projections set out at the start of the financial year? For example, with regards to parking fees revenue, what was the difference between projected parking income for Q1 – Q3 2022/23 and the actual amount of revenue received for Q1 – Q3?

Reply from Councillor Mac Cafferty, Leader of the Council

4. Councillor Sankey

Cycle lane costs:

How much parking fee revenue has the council lost in 2022/23 in relation to previous years as a result of the installation of cycle lanes on Madeira Drive and the A259?

Reply from Councillor Davis / Hills, Joint Chairs of the Environment, Transport & Sustainability Committee

5. Councillor Fishleigh

BHCC's property and land portfolio:

Please provide information about BHCC's property and land asset ownership excluding homes. How many assets are there, what is the floor area, the total value - and when was it last audited? How many assets have been identified for sale, and what is their estimated value on the current open market?

Reply from Councillor Gibson / Hugh-Jones, Joint Chairs of the Housing Committee

6. Councillor Fishleigh

Tackling Inequality

Please would you tell me what were the three largest expenditures from the £13.2 million allocated to tackling inequality in the 2022/3 budget and what are the measurements of success for the three.

Reply from Councillor Osborne / Powell, Joint Chairs of the Tourism, Equalities, Communities & Culture Committee

7. Councillor Fishleigh

2021/2/3 Council Tax:

How much money raised from Council Tax was allocated into the capital budget and how much as revenue in 2021-2 and 2022-3?

Reply from Councillor Mac Cafferty, Leader of the Council

8. Councillor Theobald

Withdean Park (puppy park):

Withdean Park in the Patcham & Hollingbury ward has a popular fenced off puppy park which is enjoyed by many dog walkers and their pets. Residents have requested that the Council install a water fountain in the park in time for summer, so do owners have access to water to keep their pets (and themselves) hydrated. Will the Council consider installing such a facility?

Reply from Councillor Davis / Hills, Joint Chairs of the Environment, Transport & Sustainability Committee

9. Councillor Brown

Road sweeping in the Goldstone Valley:

The amount of longstanding litter and weeds/leaves on the pavements and roads of the Goldstone Valley, litter in the outer tree fringes of Hove Park and on the grass verge along King George VI Avenue has increased noticeably. The litter is also particularly noticeable on steep inclines such as Queen Victoria Avenue and the Droveaway by the Engineerium.

Is there any known hinderance or barrier to the regular and effective cleaning of roads and pavements on an incline? Residents have noticed council roadsweeper vehicles are not clearing the steeper roads. Residents would like to know how often council operatives sweep all the roads and pavements in these areas in the Goldstone Valley and how many council employees are allocated to street cleaning duties across Hove, and particularly to Hove Park Ward.

Reply from Councillor Davis / Hills, Joint Chairs of the Environment, Transport & Sustainability Committee

10. Councillor Bagaeen

Council work patterns:

Many companies have now brought staff back to the office, after finding that employees were working longer hours yet productivity had not improved. These firms found that employees were finding no distinction between home and work and many employees were working in silos, with an impact on productivity and mental health of employees. Brighton and Hove City Council has been the slowest in the country to reopen and return to normal after the pandemic. The Greens and Labour have voted to require mandatory face mask wearing at the Council to continue indefinitely – even when Councillors are speaking – and also voted to move to a model of permanent remote service provision, which is excluding many people from receiving council services.

Can the Leader of the Council advise how many FTE staff are employed by the Council in office desk-based based roles and what proportion are currently working from home.

Reply from Councillor Mac Cafferty, Leader of the Council

11. Councillor McNair

Pay rises:

It was recently reported in the press that the Council has said it is facing a budget shortfall because of a pay rise it has administered to staff. The recent budget strategy report showed that the Council currently funds 3508.7 FTE staff positions across its service budgets.

Can the leader provide further details of the cost impact to the budget of the recent pay rise it provided to council officers and the impact on the Budget position?

Reply from Councillor Mac Cafferty, Leader of the Council

12. Councillor Lewry

Benfield Barn:

Benfield Barn in my ward of Hangleton & Knoll ward has been placed on the Historic England's 'at risk' register.

The Assessment by Heritage England states that Benfield Barn's Condition is 'Very Bad' and has a trend of 'deteriorating'.

Local residents are very concerned about Benfield Barn and are not happy with how it is being managed. There is upset that the historic flint wall has not been repaired after it was partially knocked down

Could the Chair please advise whether the Council has any plans to repair Benfield Barn to get it off the Heritage England at-risk register, including whether it has applied for any grants? Specifically, could an update be provided on the works needed to repair the flint wall which have now been going on too long.

Supporting information:

<https://historicengland.org.uk/advice/heritage-at-risk/search-register/list-entry/1452>

Reply from Councillor Osborne / Powell, Joint Chairs of the Tourism, Equalities, Communities & Culture Committee

13. Councillor Nemeth

Portslade Station

The Council has failed to spend its funding for Gateway welcome signage at Brighton and Hove train stations that was agreed to at the City Budget in 2021-2.

In a previous update in October 2022, the Chair advised:

At Brighton Station a location was established for the installation but despite lengthy negotiation, Network Rail did not give permission to proceed. At Hove Station, the Network Rail were not able to offer permission in the station itself for an installation and at Portslade Station the budget provided is too small to commission something significant. Options are being explored.

Can the Chair provide an update on the Gateway signage project? Given that the Council has been unable to find a suitable location at Brighton or Hove Stations, would the Chair consider transferring the funds to Portslade station to make that project viable?

Supporting Information

Refer to Pages 23-25: <https://democracy.brighton-hove.gov.uk/documents/b37445/Addendum%20%20-%20Written%20Questions%2020th-Oct-2022%2016.30%20Council.pdf?T=9>

Reply from Councillor Osborne / Powell, Joint Chairs of the Tourism, Equalities, Communities & Culture Committee

14. Councillor Barnett

Civic events for the elderly:

Cllr Lewry and I organised three events for the elderly in Hangleton & Knoll to bring people together after the pandemic, including for the Queen's Jubilee in June, for Christmas and New Year.

We raised donations from the generous local business community to help hold them.

Those attending said how important they felt it was to be socialising and meeting in person again after the pandemic.

I was disappointed to read the Council does not plan to hold any civic events for the Coronation in May, an occasion which we know many elderly people would want to watch. Nothing was done by the Council for the Jubilee.

The Council has events staff but is not organising events for the elderly.

Can the Chair advise how many staff are employed in the Council's events team and how much is spent on events annually in the budget?

Reply from Councillor Osborne / Powell, Joint Chairs of the Tourism, Equalities, Communities & Culture Committee

15. Councillor Cllr Simson

Rottingdean Air Quality Management Area project group:

When is the next meeting of the Rottingdean Air Quality Management Area project group scheduled to be held?

This Group needs to meet to consider the vote of the Rottingdean Parish Council to remove the Rottingdean Planter which is causing traffic congestion in the East of the City.

The Council said on 7 December that 'We will convene a meeting of this group in the new year' and that 'If the group agrees with the parish council's vote we will take the matter to a future environment, transport and sustainability committee'.

However as yet no such meeting has been arranged. Residents believe that the Administration is delaying holding the meeting as it does not want the planter to be removed and wishes the matter to be deferred until after the local elections.

Can you assure residents otherwise?

Reply from Councillor Davis / Hills, Joint Chairs of the Environment, Transport & Sustainability Committee

16. Councillor Bell

Toilet refurbishment programmes:

In 2022 Brighton and Hove City Council put out tenders for contracts worth approximately £2 million for toilet refurbishment in schools.

Can the Leader of the Council provide more details on this expenditure programme, including what the works will entail, along with its total budget.

Why have so many toilets required sudden refurbishment at the same point in time?

Reply from Councillor Mac Cafferty, Leader of the Council

17. Councillor Meadows

Denton Drive:

The pavements in Denton Drive are in a bad state. They have been inspected I believe. Can the chair advise when they will be repaired?

Reply from Councillor Davis / Hills, Joint Chairs of the Environment, Transport & Sustainability Committee

18. Councillor Wilkinson

How many council run 'changing places' toilets are there across Brighton and Hove and does the Co-Chair share my ambition to see further 'changing places' toilets added to the city's toilet facilities for the vulnerable members of our society?

Reply from Councillor Davis / Hills, Joint Chairs of the Environment, Transport & Sustainability Committee

19. Councillor Wilkinson

In recognizing that public toilets are an essential part of our city's infrastructure, how many council run public toilets are there in the Kemp Town area of the city and does the chair share my view that there is inadequate public toilet provision for the many vulnerable and older residents living in the Eastern Road and Kemp Town areas seeking to use the businesses and services in the St James Street area?

Reply from Councillor Davis / Hills, Joint Chairs of the Environment, Transport & Sustainability Committee

20. Councillor Wilkinson

A large number of residents have expressed concern about the diversions put in place due to the Western Road improvement scheme. Buses and other vehicles are being diverted along Upper North Street and Montpelier Terrace.

a. What specific monitoring of traffic levels has occurred on these roads to date in respect to the scheme and if so, at which locations?

b. Is there any indication to date that congestion is occurring in any part of the city as a result of the scheme?

c. Is there any monitoring occurring regarding the impact of the diversion of buses and other heavy vehicles on the houses on these roads?

d. Is air quality monitoring specific to the scheme taking place on Montpelier Terrace and Upper North Street and if so, how often that data will be reviewed in respect of safety levels. Please specify any roads on which this information is held and how residents can access such information?

Reply from Councillor Davis / Hills, Joint Chairs of the Environment, Transport & Sustainability Committee

Brighton & Hove City Council

Council

Agenda Item 77

Subject: 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:

The following questions have been received from Councillors and will be taken as read along with the written answer detailed below:

Date of meeting: 2 February 2023

1. Councillor Allcock

Subject Matter: **I360 debt**

Reply from Councillor Mac Cafferty, Leader of the Council

2. Councillor Nemeth

Subject Matter: **Council's declared climate emergency**

Reply from Councillor Mac Cafferty, Leader of the Council

3. Councillor Appich

Subject Matter: **Delegation of decisions to officers**

Reply from Councillor Mac Cafferty, Leader of the Council

4. Councillor McNair

Subject Matter: **Consultancy costs**

Reply from Councillor Mac Cafferty, Leader of the Council

5. Councillor Fishleigh

Subject Matter: **Sustainability and Carbon Reduction Fund**

Reply from Councillor Davis / Hills, Joint Chair of the Environment, Transport & Sustainability Committee

6. Councillor Hamilton

Subject Matter: **Public Toilets**

Reply from Councillor Davis / Hills, Joint Chair of the Environment, Transport & Sustainability Committee

- 7. Councillor Bagaean**
Subject Matter: **Council's policy on sports**

Reply from Councillor Osborne / Powell, Joint Chair of Tourism Equalities Communities & Culture Committee
- 8. Councillor Wilkinson**
Subject Matter: **Committee Reports**

Reply from Councillor Mac Cafferty, Leader of the Council
- 9. Councillor Barnett**
Subject Matter: **Social care in the City**

Reply from Councillor Nield, Chair of Adult Social Care & Public Health Sub-Committee
- 10. Councillor Robins**
Subject Matter: **Delegated powers**

Reply from Councillor Mac Cafferty, Leader of the Council
- 11. Councillor Theobald**
Subject Matter: **Heritage in the City**

Reply from Councillor Osborne / Powell, Joint Chair of Tourism Equalities Communities & Culture Committee
- 12. Councillor Platts**
Subject Matter: **The cost benefit of Council consultations**

Reply from Councillor Mac Cafferty, Leader of the Council
- 13. Councillor Sankey**
Subject Matter: **Cost of litigation**

Reply from Councillor Mac Cafferty, Leader of the Council
- 14. Councillor Grimshaw**
Subject Matter: **Parking charges in City Parks**

Reply from Councillor Davis / Hills, Joint Chair of the Environment, Transport & Sustainability Committee

Brighton & Hove City Council

Council

Agenda Item 79

Subject: Development of an Accessible City Strategy

Date of meeting: 2 February 2023

Report of: Executive Director Housing, Neighbourhoods and Communities

Contact Officer: Name: Anthony Soyinka

Email: anthony.soyinka@brighton-hove.gov.uk

Ward(s) affected: All

For general release

Action Required of Council:

To receive the recommendations and extract of the Tourism, Equalities, Communities & Culture Committee for consideration.

Recommendations referred to in paragraph 2.3 of the report:

That Full Council:

- (i) Agrees that the Council should sign the Disability Impact Pledge.

Brighton & Hove City Council
Tourism, Equalities, Communities &
Culture Committee 4.00pm
15 September 2022
Brighton Town Hall - Council Chamber
Minutes Extract – Item 27

Present:

Councillors: Osborne (Joint Chair), Powell (Joint Chair), Rainey (Deputy Chair), Evans (Opposition Spokesperson), Grimshaw (Opposition Spokesperson), Bagaen (Group Spokesperson), Ebel, Littman and Robins.

Co-Optees: Stephanie Prior, Joanna Martindale, Harpreet Kaur

17 DEVELOPMENT OF AN ACCESSIBLE CITY STRATEGY

17.1 Emma McDermott introduced the report starting on page 101 of the Agenda.

17.2 Councillor Bagaen was informed that:

- The use of utilities by the public realm is governed by specific legislation and practise, and the work completed with the accessibility strategy will help to use the Council's powers more effectively, without superseding the powers already there.
- The annual stakeholder event will come after the strategy, which will be developed by working with the disability panel and the wider reference group. This will then be presented to Committee in March 2023.

17.3 Councillor Rainey was informed that the Equalities teams are having conversations with the Beach Access Team and other teams across the EEC directorate to ensure they know how the principles in the strategy will affect their work going forward.

17.4 Councillor Grimshaw was informed that Emma McDermott would have a conversation with HASC regarding a lack of respite and feed back to Councillor Grimshaw.

17.5 Councillor Evans raised the importance of taking action against cyclists on pavements for the disabled community.

17.6 Councillor Robins raised that it is important to have a main point of contact for accessibility on the seafront and in parks such as installing paths, so they can be enjoyed by everyone.

17.7 Councillor Bagaeen recommended that the Accessible City Strategy should go to the ETS Committee.

RESOLVED:

That the Tourism, Equalities, Communities & Culture Committee:

1. Notes the report and agrees to receive further update reports.
2. Recommends to Full Council that it agrees that the Council should sign the Disability Impact Pledge.

That Full Council:

3. Agrees that the Council should sign the Disability Impact Pledge.

The meeting concluded at 7.05pm

Signed

Chair

Dated this

day of

**Tourism, Equalities,
Communities & Culture Committee**

Agenda Item 27

Brighton & Hove City Council

Subject: Accessible City Strategy

Date of meeting: 15th September 2022

**Report of: Executive Director Housing, Neighbourhoods and
Communities**

**Contact Officer: Name: Emma Mcdermott
Tel: 01273 291577
Email: emma.mcdermott@brighton-hove.gov.uk**

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 This report provides an overview of the progress in developing an Accessible City Strategy for the council and the next steps.
- 1.2 The development of the Accessible City Strategy is a follow on from the Council's Corporate Plan commitment to "improve access to all parts of our city and our services for people with physical, sensory, and learning disabilities. We will support disabled people into work, tackle discrimination and disability hate crime, and improve access to learning and leisure activities."
- 1.3 The creation of an Accessible City Strategy is also aligned with the important new policy initiative local authorities are being asked to commit to, signing up to and implementing the new Disability Impact Pledge, the principles of which are aligned with those of the new Accessible City Strategy.

2. Recommendations

That the Tourism, Equalities, Communities & Culture Committee:

- 2.1 notes the report and agrees to receive further update reports.

2.2 recommends to Full Council that it agrees that the Council should sign the Disability Impact Pledge.

That Full Council:

2.3 Agrees that the Council should sign the Disability Impact Pledge.

3. Context and background information

3.1 Brighton & Hove City Council has an ongoing commitment to ensuring that the city is accessible for all its residents and visitors. To ensure a systematic approach to embedding accessibility throughout council services, local disability-led consultancy firm – Freeney Williams – was commissioned in 2021 to draw up initial documents setting out the parameters and scope for the strategy – phase 1 of the development of the strategy. Phase 1 was concluded in May 2022.

3.2 Key documents produced to inform the strategy development are attached and include:

- a) A principles document setting out the key approaches and issues, including synergy with other initiatives and the need to address and embed intersectionality (appendix a)
- b) A strategic framework, to be populated as the strategy is developed, covering over-arching organisational issues as well as commitments, activities and proposed outcomes by Business Directorates (appendix b)
- c) A terms of reference for a new officer Task & Finish Group, with representation from each Directorate (appendix c)
- d) A terms of reference for a new Disability Panel, which will provide strategic, expert and impartial advice on the development, implementation, monitoring and review of the Accessible City Strategy (appendix d)
- A draft terms of reference for a Wider Reference Group, to enable engagement and involvement by the disabled community across the City in the strategy, providing further targeted expertise on specific disability issues by subject matter experts (appendix e)
- A good practice report detailing best practice models for possible consideration by the City Council (appendix f)
- An external stakeholder analysis (appendix g)

3.3. Easy read versions of the terms of reference for the Disability Panel and the Wider Reference Group were also produced to facilitate the active involvement of people with lived experience of disability in these key strategic groups.

3.4. Research undertaken indicates that Brighton & Hove City Council appears to be the first council in England to take such a holistic, integrated council-wide approach.

4. Engagement

- 4.1. In late autumn of 2021, the consultants delivered a presentation providing an overview of the Accessible City Strategy initiative to each of the City Council Directorate Equality Delivery Groups. These presentations were followed up with one-to-one meetings with internal stakeholders. The consultants also engaged with the internal Disabled and Carers Workers' Network. The outcome of this internal engagement is evidenced in an Internal Stakeholder Report (appendix h), which sets out the key considerations and aims, according to the specific context of the respective directorates.
- 4.4. The consultants also engaged with a number of disability organisations as well as with individual disabled people, the results of which are documented in the External Stakeholder Report produced (appendix g).
- 4.5. Briefings were delivered to the Equality and Inclusion Partnership and to Member Equality Leads, with regular updates going to the respective Directorate Equality Delivery Groups.
- 4.6. The inaugural meeting of the Task & Finish Group, comprising Directorate representatives as well as the Independent Chair of the Disability Panel and the Equalities Team took place on 28th April.
- 4.7. The foundation meeting of the Disability Panel was held on 27th July 2022 and the first meeting of the wider reference group is scheduled for September.

5. Next Steps

- 5.1. Phase 2 of the strategy's development runs from July 2022 to March 2023 and includes the following activities:
- a) Regular meetings of the officer task and finish group to steer and inform engagement with each directorate to secure awareness and understanding of the strategy and to develop actions to deliver the aims of the strategy.
 - b) Development of actions for inclusion in the strategy's action plan by council services with the support and guidance of the council's Equality, Diversity and Inclusion Team.
 - c) Series of meetings of the Disability Panel to establish and consolidate its purpose and membership and to provide external stakeholder oversight of the development of the strategy. Key will be recruitment of the individual D/deaf disabled and neurodiverse people to the panel.
 - d) Recruitment to and meetings of the wider reference group to ensure a broad range of disability organisations have input and can comment on the strategy.
 - e) The drafting of the front end of the strategy by Freeney Williams consultancy based on documents produced in phase 1.

- f) Discussion of the draft with Lead Members for equality from the three political groups Autumn 2022
- g) Presentation of the draft strategy to Disability Panel, Wider Reference group, BHCC Executive Leadership Team through January and February 2023.
- h) Presentation of the strategy for approval by the Tourism, Equalities, Communities and Culture Committee in March 2023.

6. Disability Impact Pledge

6.1. The Disability Policy Centre, a new thinktank on best practice around disability, aimed at ensuring accessibility is at the heart of decision-making, especially regarding the engagement and involvement of disabled people, has created a new Disability Impact Pledge. In their report 'Breaking Down Barriers' – launched in the House of Commons in March 2022 one of the key recommendations was to ensure that Local Authority buildings and services were accessible to local people.

The pledge is intended to demonstrate a Local Authority's commitment to ensuring that disabled people across their community are empowered across all areas of society; there are no associated costs for signing up.

The specific requirement of councils signing up to the pledge is that they strive for excellence in 10 key areas, which are:

- i. Review the accessibility of our council buildings, so that all our venues are welcoming to our community
- ii. Improve accessibility in the way that people can contact us as council, ensuring that there are several methods available for people with various needs
- iii. Review our website to ensure that it meets guidelines for best practice on accessibility
- iv. Make sure our communications are provided in accessible formats
- v. Appoint a designated Equality and Diversity Lead
- vi. Ensure our compliance with the Public Sector Equality Duty
- vii. Host all of our meetings in accessible venues
- viii. Ensure our staff are trained in equality, diversity and inclusion
- ix. Promote flexible working, assistive technology and other reasonable adjustments for our employees, to ensure that we as employers are 'Disability Confident'
- x. Consult and engage with our disabled residents and disability community groups on how decisions impact them. Be open to their feedback and continuous development

6.4. The pledge is valid initially for one year; no benchmark is expected.

6.5. To date Basildon and Cornwall Councils have signed the pledge, with 30

more Local Authorities reported to be interested.

- 6.6. Signing up to the pledge would send out a positive message to the disabled communities in Brighton & Hove of the City Council's proactive commitment to promoting access and inclusion for disabled people.
- 6.7 The council is already undertaking work associated with the ten key areas and the Accessible City Strategy will provide a much-needed framework for the council's activities now and into the future.

7. Conclusion

- 7.1 The development of the Accessible City Strategy and the Disability Panel and wider reference group will provide a strategic framework, currently lacking, to guide holistic, integrated council-wide actions to ensure accessibility by default.
- 7.2 As a leader in this approach the council recognises that this is the start of the process and the strategic framework being established will provide a tool to monitor the council's progress.

8. Financial implications

- 8.1. Project management and leadership of the work is being carried out as part of core business of the Communities, Equality and Third Sector (CETS) team. A budget of £20,000 has been allocated from the CETS initiatives budget to support the work – principally funding the consultant. Financial implications arising from the strategy's action plan will be considered by the relevant service as part of their budget management processes and decisions on allocation of funding will be made in line with council's budget setting process.

Name of finance officer consulted: Mike Bentley Date consulted: 08/08/2022

9. Legal implications

- 9.1 Endorsing, approving or otherwise committing the Council to any charter, alliance or pledge is a responsibility of Full Council.

Name of lawyer consulted: Alice Rowland Date consulted: 16/8/22

10. Equalities implications

- 10.1. The intention of this work is to address identified disadvantage and lack of access experienced by disabled people who live, work, study or visit the city. The work is central to the council's legal duties under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations between communities, as well as to encourage civic engagement by under-represented groups. This links into the positive duty in the Equality Act to promote opportunities for disabled people including participation in

civic life. It also links in with and complements other key City Council Strategies including but not exclusively the Brighton & Hove Special Educational Needs and Disability (SEND) Strategy, and the Fair and Inclusive Action Plan.

11. Sustainability implications

11.1. No sustainability implications arise from this report.

12. Other implications

Social Value and procurement implications

12.1. No social value and procurement implications arise from this report.

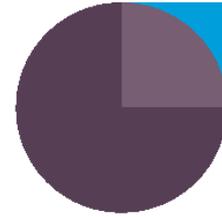
13. Crime & disorder implications:

13.1 No crime and disorder implications arise from this report.

14. Public Health implications:

14.1 No public health implications arise from the report.

11. Appendices



Freaney Williams

Brighton and Hove City Council

Developing an Accessible City Strategy

Considerations and principles

Aim:

This document sets out the key considerations and underpinning principles to be adopted when developing Brighton and Hove City Council's (BHCC) Accessible City Strategy and underpinning action plans.

NB: For ease of reference the term disabled person or person with access requirement is used throughout the document as a generic term and in doing so the authors recognise the different views and attitudes of stakeholders towards the use of terminology in this area.

1 Introduction

BHCC strongly believe the City should be accessible for all of its residents and visitors irrespective of their access requirements. To do this it recognises the need to establish a strategy and underpinning action plans which will act as the driving force to achieve this desire. Such a strategy will not only provide a focus for its own contribution but also enable it to take a civic lead by harnessing its influence and networks. This document discusses the key issues that the Council and its various Directorates need to consider in developing such a strategy and ensure its effectiveness.

In developing this strategy it is important to recognise the positive and widespread existing work of the Council and its contribution to accessibility within the city. The strategy must incorporate and learn from such work whilst taking the opportunity to review its current approaches and identify gaps and initiate new work.

There are a wide range of service specific legal obligations placed on the Council in the way it delivers services to the city's residents and visitors and which, clearly, must be taken into account when considering an accessible city. Additionally, there are broader legal obligations under the Equality Act 2010 and the associated Public Sector Equality Duty. This legal framework provides a baseline on which to build a

strategy but the overall approach should be based on best practice rather than on compliance; this document will explore what this might look like in practice.

2 What is an Accessible City?

An accessible city is one where people who have access requirements have, as far as is practicable, independent and barrier free access to Council services, the city's public spaces and areas, facilities, transport, retail, leisure infrastructure, learning opportunities and so on. However, the Council needs to bear in mind that it is not possible to have a fully accessible city simply because of the limiting relationship between the effect of someone's impairment, their confidence and competence in dealing with it, its effect and the barriers encountered. Nevertheless, by adopting a best practice and inclusive design approach in all of its work, and using its influence to take a civic lead, it will be possible to make a marked improvement in the ability of those with access requirements to access the City's facilities and services. It will also facilitate the Council's ability to plan long term, make decisions within a best practice framework and ensure consistency of approach – within resources and legal constraints.

BHCC is taking part in the Inclusive Cities Programme. This is a knowledge exchange initiative supporting UK cities and their local partners to achieve a step-change in their approach towards the inclusion of newcomers. This will support the Council in becoming an accessible city for everyone, whether a newcomer or a long-standing community member.

Accessible for Who?

In summary the strategy is designed to provide equal access to anyone who might have a specific access requirement and seek to ensure, as far as is practicable, equal access to all those who live, work and visit the city irrespective of those requirements. This will involve the adoption of a best practice approach and needs to be based on inclusive design principles – see Section 4. It must address the underlying causes of barriers experienced by individuals who might have access requirements and seeks to establish a process by which such barriers are identified and removed from existing services, facilities and so on and 'designed out' of new areas of work. Where this is not practical it needs to establish alternative approaches to ensuring access is as equal as possible to others who don't have access requirements.

The strategy needs to determine what outcomes are intended and what successful achievement of those outputs looks like. This is likely to include improvement in all areas of City life and include areas such as:

- social and economic engagement;
- access to health, well-being and social care;
- independent living;
- barrier free built environment;
- safe and accessible public spaces and facilities;
- housing and its suitability for people's access needs;

- access to work opportunities, training and education;
- accessible public services and facilities; and
- access to involvement in decision-making and participation in all aspects of city life

3 Developing the strategy

Structure and content

Developing an accessible city is a long-term project which will require prioritised objectives which are rooted in the real world. This is not to say that the strategy and action plans should not set challenging targets. The strategy and action plan will need to establish both short and long-term objectives and underpinning activities. Consequently it cannot be a one-off exercise and will need to be a living document used to drive action and monitor performance over time. This means it will need to be monitored, revised and updated regularly and be kept at the centre of the Council's work, as ensuring inclusion by design is a business-as-usual process and involves all business areas. The Council's involvement in the Inclusive Cities Programme will support the development of this approach.

The strategy will consist of two key components:

- An overarching statement of intent supported by ambitious aims outlining the Council's general approach to developing an accessible city over time (see Appendix 1); and
- Underpinning action plans from each Directorate setting out the activities and projects from across the Council which will, over time, achieve the aims.

In doing this it will need to consider a number of key themes:

- The built environment and public spaces
- Public facilities
- Council services
- Health, wellbeing and social care
- Transport and related infrastructure
- Information and communication, including new ICT projects
- Education and lifelong learning
- Leisure services and activities

Additionally, two aspects will need to be considered in each of these themes: those areas for which the Council has direct or indirect control as well as those areas where it can use its influence as the civic lead, e.g., other public sector bodies' approach to inclusive design, highlighting the need for staff training in the retail and hospitality sectors and so on.

Roles and responsibilities

The process of developing the strategy is set out in Document B and Head of Communities, Equality and Third Sector will be the Council lead for this work and in summary responsible for:

- initialising project and associated planning;
- development and publication;
- internal and external co-ordination;
- monitoring and 'chasing' actions;
- facilitation of involvement, engagement and consultation;
- briefing and co-ordination to facilitate role of civic lead;
- monitoring and reporting on progress.

A Task and Finish Group will be commissioned to ensure these actions are completed.

Each Directorate will need to:

- contribute to the drafting of the overarching strategy;
- map and review its current contribution against the overarching aims and the themes;
- identify any gaps within its area of control and plan to address them;
- identify opportunities to take a civic lead and use its influence to drive change;
- establish an action plan against which progress can be monitored and assessed.

Intersectionality with wider BHCC strategies and initiatives

The strategy must take account of wider Council policies, strategies, initiatives and proactively interlink with them in order to ensure a joined-up approach and avoid inconsistencies and duplication of effort.

There are a number of key strategies and policies which need to be reflected on and referenced, including:

- Council Plan
- Equality and Inclusion Policy Statement and Strategy
- Fair and Inclusive Action Plan
- Special Educational Needs and Disability Strategy
- Customer Experience Strategy
- Health and Wellbeing Strategy
- Alzheimer Friendly Community

The **Council Plan** makes commitments to achieve a number of outcomes including creating:

- a fairer city with a sustainable future
- a city working for all

- a stronger city
- a city to call home
- a healthy and caring city

Within the commitment to a stronger city, the Council has committed to improving access to disabled people to all parts of the city and to services for people with physical, sensory and learning disabilities. It further commits to supporting disabled people into work, to tackle discrimination and disability hate crime, as well as improving access to learning and leisure activities.

Within the commitment to a healthy and caring city, it commits to increasing healthy life expectancy and to reduce health inequalities. Part of this commitment is to support people to live independently and to work to increase understanding and reduce prejudice and discrimination related to disability and mental health problems.

In ensuring the Council provides health and care services that meets the needs of all, there is a recognition of the need to work with disabled people to ensure services are accessible and meet their needs.

The council's existing **Equality and Inclusion Policy Statement and Strategy** vision is to ensure Brighton & Hove is a vibrant city that is culturally, economically and socially diverse. It will take a leading role in seeking Council's increase equality, inclusion and fairness in the city and ensure that no one is left behind.

The Fair and Inclusive Action Plan makes a commitment to communities which includes:

- Services across the council understand and respond effectively to communities they work with and the changing demographic of the city;
- The Council has a reputation as a leader for equality and inclusion and community cohesion in the city, engaging in a joined-up way with cultural events across the city;
- Council staff are aware of and engaging with volunteering opportunities available to enable them to work with different communities across the city; and
- The council has a reputation in Schools, Colleges and HE as a leader for equality and inclusion and an employer of choice in the city for young people.

The **Special Educational Needs and Disability Strategy** aims to enhance the outcomes and life chances of children and young people with SEND and adults with Learning Disabilities (LD) across the city. The Local Authority (LA) and the NHS Clinical Commissioning Group (CCG) are the leads for the strategy. The strategy sets out the six co-produced key priorities.

The **Customer Experience Strategy** aims to embed a consistently good standard of service delivery with resilience and efficiency in a fair and inclusive way. This requires a strong **Customer Focus**, by putting the customer at the heart of everything the Council does.

Key to creating accessible outcomes will be to work with customers to identify what excellent service looks like to them – which must take account of the potentially different access requirements of disabled people.

The **Health and Wellbeing Strategy** sets out the Council's vision for improving the health and wellbeing of local people and reducing health inequalities. The vision is for everyone in Brighton & Hove to have the best opportunity to live a healthy, happy and fulfilling life.

Alzheimer Friendly Community

When it comes to developing the individual Directorate action plans care will also need to be taken to link them into the overarching strategies. BHCC's ambition is for Brighton & Hove to be an age and dementia friendly city. Somewhere that's a great place for everyone to grow older and where those living with dementia and their carers are an active part of their city.

Consultation with stakeholders

When considering its own role, the Council must engage with others to ensure their expertise and insights are taken into account. Such stakeholders will need to include disabled people's organisations (DPOs) as well as provide opportunities for disabled people to contribute as individuals. Also it will be necessary to include, for example, others who have a role in delivering broader city services such as transport, leisure, the retail sector and so on and other public sector bodies.

To be an accessible city, the lived experience of disabled people needs to be understood and they need to be central in developing a strategy to meet their needs; assumptions should not be made about any aspect of need or barriers and Council activities need to be evidence-based with full input from those who understand the issues from a personal viewpoint.

This means such stakeholders should be consulted in a meaningful way with regard to the overarching aims of the strategy as well as any associated activities and projects including the action plan.

To do this there needs to be a process which ensures such engagement and to facilitate this a Disability Panel will be established with agreed terms of reference to support a strategic approach. Please also refer to Document B and the Consultation and Engagement Plan to ensure this is undertaken effectively and at the right time.

4 Considering Disability: Underpinning issues and principles

There are a number of underpinning issues and principles relating to disability which need to be adopted when developing an Accessible City Strategy. This section explores those issues and makes recommendations about their use.

Best practice and disability

The understanding, attitudes and language towards access and disability can be subjective, vary widely and be open to differing interpretation. Therefore, the first requirement to achieving best practice is to establish a common approach and understanding of the key issues.

It is not uncommon for organisations to ask themselves questions like, “what do blind people need in order to travel independently” or “what should we do for those residents with learning disabilities to help them find work?” or “how do we make sure deaf people can access our call centre?” While the intention is understandable, these questions assume that people with the same disability face the same challenges and barriers. However, focusing on the impairment in this way can lead to assumptions about the implications of that condition, and lays the ground for generalisation and stereotyping with delivery features or adjustments which don’t work as well as they may or not at all. The final challenge to this approach is where does the list of disabilities to be considered in this way stop?

Nevertheless, it is useful to have a shared understanding of the broad range of functions which, when not working effectively for an individual, might lead to an access requirement when living, working and visiting the city. Such functions can be summarised as:

- physical, e.g. manual dexterity and mobility limitations;
- mental health, e.g., severe depression or anxiety;
- sensory, e.g. sight, hearing;
- learning disabilities, e.g. Asperger’s and Downs syndrome, cerebral palsy (Mencap);
- learning difficulties and neuro-difference, e.g. dyslexia, dyspraxia, ADHD (Mencap);

Impairments and any barriers people might face affect different people in different ways and on a scale which ranges from mild to severe and often not consistently. In reality the effect of an impairment on an individual is a dynamic balance between the confidence and competence of the individual, the effect of their impairment and the barriers experienced in any given context of whatever they are doing.

A best practice approach does not think about the nature of a disability but rather its effects. For example, some disabilities such as Dyslexia or a visual impairment or learning difficulty, may make signage hard to understand for some people. The designers’ challenge is not to try to counter the effects of each disability but to minimise the understanding barrier for everyone by creating well-positioned signs in plain language in a clear, high contrast typeface supported by good graphics.

This means that attempting to design a fully accessible city from the perspective of specific conditions is not possible and cannot be considered best practice.

Best practice versus compliance

Relying on the definition of disability under the Equality Act 2010 to consider the nature of disability and what needs to be taken into account will also prove challenging. The legal definition of disability is complex and based on a range of apparently subjective tests and not on a list of conditions (there are only 5 conditions specifically covered by the Act.) Clearly eligibility for some services is based around the legal definition or other impact-based assessments and these specific 'rules' allow no or little flexibility. Where this is not the case though, a best practice approach should not rely on trying to comply with the Equality Act and by applying the definition of disability to identify eligibility, but rather assess and consider the effect of the impairment and address the barriers which might be identified.

As discussed above the effect of an individual's disability is a dynamic balance and is hugely variable. This means it is simply not possible to design all facilities, the built environment, systems or Council services and so on to be barrier free to all. Indeed one person's access solution might well be another's barrier. This means that there needs to be two linked elements to considering how to deliver maximum accessibility:

- design as much of the city's infrastructure, facilities, Council services and so on to be as barrier free as practicable as a matter of course (inclusive design); and
- be able to make further adjustments for individuals where barriers still remain.

This is also referred to as the Social Model approach.

The models for managing disability

To implement a best practice approach an organisation also needs to adopt a methodology and understanding of disability and its implications which allows inclusion to be 'business as usual' and not a 'bolt-on'. Current thinking is that this can only be achieved by using the concepts established in the social model. To understand the social model it is useful to consider earlier models which have not delivered Inclusion and access to services and social engagement.

Charity and medical models

Traditionally the way society and organisations managed disability issues was based around the 'charity' and 'medical' models.

The charity model, while no longer used in terms of policy and management, still plays a strong part in some people's attitudes towards disabled people, which then impacts on their understanding, behaviour and assessment of access requirements

of this group. At its core is the perception that disabled people need sympathy, looking after, protecting, and that there is little expectation that they will lead an independent and 'normal' life.

As its title implies, the medical model concentrates on disease and impairments and puts what is wrong with someone at the heart of how to address the issue; 'fixing or mitigating the problem' the individual might experience. This might be useful when dealing with health issues and, indeed, the approach is a basic driver for some Council services. However, it is less helpful when thinking about how a disabled person might access city transport or Council services, navigate the built environment and so on.

The limitation of the medical model is that it concentrates thinking on the conditions and its symptoms, or more likely its stereotypical symptoms, and not any barriers which might be 'designed out'. Based on these views, judgements are made about what individuals can and can't do, what barriers might exist, types of adjustments that might be appropriate and so on. It also makes it harder for an organisation to deal with disability as a mainstream issue, as it is centred on the individual impairment and not on how to identify and address the barriers an individual experiences. Given the range and the variability of the effects of impairments on individuals, this approach cannot deliver a universal solution.

The social model

The social model says it is society or an organisation which creates 'disability' by limiting access to services, products, employment and use of infra structure by the way they go about what they do. If society and organisations worked differently and developed an inclusive approach across the board, a person's impairment would not be an issue. A good example of the social model in action relates to modern buildings. They are required to be accessible and step-free to everyone. This means, if there are no steps into reception, then making a one-off adjustment is not required such as providing a temporary ramp or a separate entrance for people requiring step-free access. Everyone accesses the building in the same way. Access is mainstreamed and no one really thinks about this anymore, as it is just the way things are. In other words, the social model seeks to deal proactively with the root cause of the barriers and not their symptoms.

Intersectionality with other protected characteristics

It is important to recognise that for disabled people, their disability or long-term health condition is not their only characteristic. There will also be a range of other factors affecting their life, which can create a unique set of circumstances that interrelate with each other.

For example, we know that race and disability can interact to create a further set of challenges in terms of accessibility. Disability is viewed in a variety of different ways through a cultural or racial lens which can make it more difficult for disabled people from these communities to access services. How disability is viewed by different communities can make it more challenging for people within these communities to engage with the reality of their disability or long-term health condition and therefore make accessing the support they may need more challenging.

We know that disabled people as a group are more likely to be in the lower quartile of average earnings, meaning that poverty and social deprivation may impact their lives. This means that there will be a direct relationship between addressing issues relating to the economically disadvantaged group but which can be made more challenging by access requirements to any initiatives aimed at dealing with those issues.

There is also the question of connectedness between the work of the Council when considering intersectionality. For example, if a positive action employment scheme was being developed for a specific protected characteristic the approach and procedures should also ensure their accessibility and not assume the target group should be considered as a stand-alone issue. This principle equally applies to the provision of all Council services.

Inclusion as business-as-usual

Any Accessible City Strategy needs to be based on the social model. It's an approach that says... 'everything the Council does (directly or indirectly) will seek to ensure inclusion as a matter of course and facilitate independence irrespective of any access requirements'.

The subsequent challenge then is to ensure inclusive design principles are implemented consistently across all of its work alongside using a similar approach within its sphere of influence.

The final strand of a best practice approach uses the impact of someone's impairment when considering barriers and adjustments and not the cause. For example, if someone needs to use a mobility aid which might prove problematic with stairs, then that is the issue which needs addressing, not what causes that individual to need to use the mobility aid in the first place. Considering the cause is not helpful in identifying and finding a solution to the barrier; any strategy needs to 'think effect, not cause'.

Barriers to inclusion

To be able to implement the social model, it is important to understand what creates barriers which need to be identified and addressed in the first place.

Barriers exist as a result of the following factors:

- institutional: the culture and approach to equality and discrimination within an organisation and its willingness to be inclusive;
- practical and systemic: the procedures and systems in use within the organisation, e.g., requiring photo ID, using a self-service restaurant;
- physical: the built environment, e.g., building's design, lighting levels and accessible washrooms;
- attitudinal: attitudes and consequential behaviours of Council staff, designers, etc.

Consequently, to develop a social model approach based on best practice, BHCC will need to use a process of barrier analysis on its existing approaches, policies, engagement protocols and so on in all aspects of the Council's work which might impact on disabled people within the city. It also needs to develop a consistent and comprehensive inclusive design approach with input from subject matter experts. Clearly this is a large undertaking and needs to be prioritised.

At the same time it will need to use its influence to support others to adopt a similar approach.

The Local, Regional and National Context

Local / regional context

We know that Brighton and Hove is experiencing rising population levels, which will impact upon the delivery of services. We also know that the overall cost of living is growing quickly within the city area.

Our current customer intelligence shows that:

- 1 in 20 residents say their day-to-day activities are "limited a lot" due to a long-term health condition or being disabled.
- the group classed as the "oldest old" group is growing
- mental ill health has been recognised as a significant issue for people within the city
- changes to the welfare and benefits system are having a disproportionate impact on people with a disability or long-term health condition
- there is a growing migrant community across the region which bring an extra dimension to accessibility
- there are specific issues in the city linked to geography and heritage buildings which lack accessibility.

These are all issues which need to be addressed as part of the Accessible City Strategy.

Government Disability Strategy

In July 2021, the Government launched its National Disability Strategy, which will need to inform BHCCs approach to an Accessible City Strategy.

The Government's vision is to transform the everyday lives of disabled people. This includes a commitment to level up opportunity at every stage of disabled people's lives, as well as in all areas of disabled people's lives.

The strategy identifies 5 areas which will guide the Government's approach to disability, which are:

- ensure fairness and equality – empowering disabled people by promoting fairness and equality in opportunities, outcomes, experiences, including work;
- consider disability from the start – embedding inclusive and accessible approaches and services to avoid creating disabling experiences from the outset;
- support independent living – actively encourage initiatives that support all disabled people to have choice and control in life;
- increase participation – enabling greater inclusion of a diverse disabled population in the development and delivery of services, products and policies; and
- deliver joined-up responses – working across organisational boundaries and improve data and evidence to better understand and respond to complex issues that affect disabled people.

Appendix 1

Brighton and Hove City Council Creating an accessible City Draft content of overarching strategy

- 1 Purpose of the strategy
- 2 Foreword
- 3 Introduction and background
- 4 Our vision and aims
- 5 How we developed the strategy
- 6 Who was involved and how we engaged, involved and consulted with disabled people and their organisations.
- 7 The role of the Disability Panel
- 8 The underpinning principles:
 - what we mean by disability
 - the social model of disability
 - inclusive design
- 9 Delivering the strategy: The Action plans
- 10 Monitoring and evaluating

Appendix 2

In considering contributions to the strategy and action plans do they:

- use a common understanding and approach to disability based on best practice and the social model (NB unless this is constrained by other legislative approaches, i.e., eligibility for specific services);
- develop and use the social model principles in all of its public-facing interactions and services;
- ensure that disabled people and their organisations are fully involved;
- ensure all new procedures, activities, policies etc. are developed against the social model and inclusive design principles;
- over time review all existing arrangements and services with input from critical friends who are subject matter experts;
- ensure in-house management protocols are in place to ensure the principles are 'business as usual';
- support staff to facilitate their use of these principles;
- use the Council's broader role in the city to influence others to adopt an inclusive design approach and mirror it.

Brighton and Hove City Council

Developing the Accessible City Strategy

Task & Finish Group Terms of Reference

1 Purpose of the Group

The Task and Finish Group is to ensure the successful development and approval of the Brighton & Hove City Council (BHCC) Accessible City Strategy within the project's deadlines.

It will ensure all agreed tasks required to deliver the strategy are undertaken using the approved methodologies, including the consultation, engagement and involvement of disabled people and their organisations.

2 Core tasks

The Group's role is to oversee the development and implementation of the Accessible City Strategy by ensuring the development and delivery of a project plan; it is not to undertake the activities within that plan. Consequently, there are a number of key tasks:

- Agreement of a project plan with timelines in line with the outputs from Phase 1;
- Oversee the development of the Strategy in line with the project plan;
- Ensure the activities required for the strategy's development take place including but not limited to:
 1. Development of the overarching vision and Council wide strategic ambition;
 2. Development of individual Action Plans for each Business Directorate;
 3. Overseeing the effective delivery of the Consultation, Engagement and Involvement Plan;
 4. Liaising with other relevant stakeholder groups including the Disability Panel;
 5. Ensuring the strategy's development adopts a proactive approach to influencing partners and encourages the Council to take a civic lead role in relation to accessibility.
- Seek comments and feedback from relevant stakeholders on the draft Strategy; and
- Obtain elected representatives' and Council wide approval of the Strategy and its underpinning action plans.

3 Membership and structure

The Chair of the Task and Finish Group will be held by Head of Communities, Equality and Third Sector

The role of Group Secretary will be held by EDI officer (disabilities lead)

The Task & Finish Group will be made up of:

- Emma McDermott (as chair)
- Equalities Manager (as project lead)
- EDI officer (as secretary)
- Rick Williams / Clare Cromarty (for a time limited period during the establishment of the group)
- Independent Chair of the Disability Panel
- A representative of each directorate equality delivery group

It is expected that the group will operate through consensus, including in making key decisions. If any dispute arises, the Chair of the Task & Finish Group will have the final say.

Deputies

If the designated member of the Task & Finish Group is unable to attend, they may nominate one person to act as their deputy. For continuity purposes this should be the exception and where possible, should always be the same deputy.

4 Timeline & Frequency of meetings

The Group will meet on a monthly basis for the duration of the project with additional meetings being agreed if required.

The Group may appoint additional members on an ad hoc basis if it believes they can help facilitate its work. Such appointments are subject to the approval of the Chair.

The Group may create sub-groups to focus on specific areas of its work and such sub-groups may co-opt additional members to facilitate their work subject to the Chair's agreement.

Once the strategy has received approval of all relevant Council bodies, the Task & Finish Group will have achieved its goal and will therefore be disbanded. From this stage, the implementation of the Accessible City Strategy will be monitored as per normal Council performance management arrangements.

5 Resources

The following resources will be made available to the Group:

- Secretariat and administrative support (EDI administrator)
- Meeting space for any face-to-face meetings
- Online meeting portal to hold virtual meetings

Accessible City Strategy Disability Panel

Accessibility

If you would like this letter or information in an alternative format, for example large print or easy read, or if you need help communicating with us, for example because you use British Sign Language, please let us know. You can call us on 01273 291952 or email EDI.Officer-Disability@brighton-hove.gov.uk

Brighton & Hove City Council (BHCC) is registered with [signlive.co.uk](https://www.signlive.co.uk), and British Sign Language (BSL) users can use the service to make a video call via a BSL interpreter and leave a message on the number above.

Purpose and expectations of the Panel

What is expected from Disability Panel members?

- support Brighton & Hove City Council to meet their Public Sector Equality Duty, by prioritising accessibility when the Council considers developing or changing a policy, project or service
- help the City Council to enact its positive duty regarding treating disabled people more favourably
- help Brighton & Hove City Council understand the experience of any barriers faced by disabled people
- advise on potential solutions to removing barriers which might be found during the strategy's development and implementation
- highlight gaps in provision for D/deaf, disabled and neurodiverse people across all Brighton & Hove City Council departments, so that the gaps can be addressed by the Accessible City Strategy
- proactively offer guidance on how best to consult, engage with and involve disabled people in developing and reviewing the Accessible City Strategy and other relevant strategies
- advise Brighton & Hove City Council on the monitoring and reporting framework that should be set up to effectively implement the Accessible City Strategy

- be prepared to voice their lived experience, but not be focused solely on a single issue, as panel members are expected to speak for a range of disabled people in the community
- accept that once a particular issue has been sufficiently explored, it will not be revisited unless for a critical reason
- respect confidentiality and not share confidential information outside the Panel (including within their organisations, in the press or on social media, without prior written permission from Brighton & Hove City Council): this applies both during and after the Panel Members' term of appointment.

In its work the Panel must recognise it does not have the authority to:

- expect their views wholly or in part, to be accepted and acted upon by the Council
- commit or expend resources on the Council's behalf
- commit the Council to any actions
- consider any matter outside its specific areas of activity
- direct Council employees in the performance of their duties
- represent the Council in any communication with the public or media
- act in the name of the Panel outside the remit of the Panel.

What is expected of Brighton & Hove City Council?

- ensure that the Disability Panel's expertise is used at the strategic level
- consult the Panel at all appropriate points of the Accessible City Strategy's life cycle
- provide a reasonable amount of time for the Panel to undertake its work on any specific issue
- adjust the way the Panel runs to ensure it is fully accessible to Panel members
- report back to the Panel on how their input has been incorporated and what actions or outcomes have been achieved as a result
- provide a response to issues raised and discussed by the Panel in as timely as possible a way, ensuring a clear feedback loop

- consult with the Panel prior to the release of any Press Releases regarding the Accessible City Strategy
- give due reference to the Disability Panel, wherever appropriate, in either the Community Engagement or Equality Impact Assessment sections of BHCC committee reports
- host an annual stakeholder event/conference with relevant partners, at which progress on the Accessible City Strategy and the work of the Disability Panel will be shared and then reported to the relevant Council Committees
- facilitate a wider reference group of D/deaf, disabled and neurodiverse people's organisations to provide support and subject matter expertise to the Panel.

How the Panel will operate

1: Introduction

The Disability Panel is a key component in the effective development and delivery of Brighton and Hove City Council's (BHCC) Accessible City Strategy. It ensures that D/deaf, disabled people and neurodiverse people and their organisations are centrally involved in the development and implementation of this strategy.

2: Role of Panel

The Panel is created by the council for the purpose of providing strategic, expert and impartial advice to the Council on the development, implementation, monitoring and review of the Accessible City Strategy and associated action plan(s).

3: Principles

The following principles of good governance will guide the functions of the Panel:

- Participatory;
- Respectful;
- Accountable;
- Transparent;
- Responsive;
- Effective and efficient;
- Equitable and inclusive;
- Ethical;
- Abide by the Nolan principles¹

¹ [The Seven Principles of Public Life - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

4: Conduct and Confidentiality

Panel members will need to declare any conflicts of interest and must adhere to BHCC's policy and procedure in this respect.

Panel members may be given access to information not yet in the public domain or which is policy under development. This information must not be shared outside the Panel, including within their organisations, in the press or on social media, without prior written permission from BHCC. This applies both during and after the Panel Members' term of appointment.

5: Membership and Term

The Panel shall consist of a maximum of twelve members. The membership will consist of four independent D/deaf, disabled people and neurodiverse people and representatives from eight different D/deaf, disabled people and neurodiverse people's organisations (DPOs)

It is important to have Panel members who are people with lived experience of disability whether personally or through a caring and support role.

The D/deaf, disabled people and neurodiverse people's organisations represented on the Panel shall include:

1. a pan-disability organisation with a broad role of delivering and supporting disabled people within the city [Possability People];
2. an organisation with a focus on working with children and young disabled people [Amaze];
3. an organisation with a focus on working with people with a learning or neuro-difference [Grace Eyre/Speak Out];
4. an organisation with a focus on working with disabled people from a range of ethnic and cultural backgrounds [tbc following panel discussion];
5. An organisation with a focus on sensory impairment [tbc following panel discussion];
6. An organisation with a focus on mental health [Mind];
7. An organisation with a focus on long term, limiting condition [tbc following panel discussion];
8. An organisation with a focus on non-visible disabilities [tbc following panel discussion]

A list of Panel members shall be posted on the Council's website.

One member of the Panel shall be appointed by the Panel members as the Chair of the Panel and will serve in this role for two years with the option to

be re-appointed for a further one year. The role of the Chair of the Disability Panel will be to:

- lead and chair Disability Panel meetings;
- determine the agenda for Panel meetings;
- represent the Panel in a wider Council context where required;
- Act as a conduit for other organisations not on the Panel to ensure their views and ideas are heard within the Panel.

If members of the Disability Panel or an appropriate Executive Officer of the Council has concerns with the way the Chair is delivering on their role, a vote of the whole Disability Panel shall take place to determine whether there is confidence in this individual. They may be removed from the role of Chair if a majority equal to or greater than two thirds of the Disability Panel vote that they do not have confidence in the individual continuing in that role.

The term of membership for individuals shall be two years with a right to reappoint for a further year. Individuals may serve for up to a maximum of three years.

Organisational membership will be reviewed every two years by the Council to ensure they remain representative of the sector.

A person or organisation ceases to be a Panel member if they:

- resign;
- are absent from two consecutive meetings without notification or valid reason; or
- fail to follow these Terms of Reference.

Any member may resign by giving written notice to the Panel's Chair.

To ensure consistency there is an expectation that organisations are represented by one nominated employee member throughout the term of membership, and that if need be one proxy is nominated to attend.

The Panel may, at its own discretion, decide to co-opt members on to the Panel to work on short projects or to bring a specific expertise/lived experience to an issue. Anyone co-opted on to the Panel will be a member for an agreed timeframe and purpose. In addition, any co-optee will agree to work within these Terms of Reference.

The Panel will be supported in its work by a Wider Reference Group consisting of disabled persons' organisations (DPOs), whose remit will be to support and inform the work of the Disability Panel, providing further targeted expertise on specific disability issues as subject matter experts.

6: Recruitment

Vacant individual positions on the Panel will be proactively promoted via D/deaf, disabled people and neurodiverse people 's organisations, stakeholders, advocates and community organisations with a call for Expressions of Interest. Additionally, the vacancies will be promoted through a range of other channels which may include:

- social media;
- BHCC website; and
- disability sector networks.

D/deaf, disabled people and neurodiverse people from diverse backgrounds will be encouraged to apply.

Applicants will be requested to express their interest in being on the Panel by addressing the selection criteria which will be articulated in the promotional material.

A group made up of the Chair of the Disability Panel, at least one other member of the Panel and at least one senior BHCC employee will oversee and determine the process for selection. Where more suitable people have expressed an interest than seats available on the Panel, a recruitment exercise will be undertaken. If the same number of suitable people express an interest as seats available, these individuals may be directly appointed to the Panel.

In the setting up of the Disability Panel, adjustments will be made to the recruitment arrangements to ensure access requirements are addressed.

7: Selection Criteria

An assessment of applicants' suitability will be undertaken against the following selection criteria:

- have demonstrated direct or transferable skills or experience in being part of a committee or advisory panel;
- live, work or study in the BHCC area;
- have a lived experience of disability whether personally or through a caring and support role; and
- demonstrated knowledge, experience or an interest in providing independent and/or strategic advice on disability access and inclusion issues that will support one or more of the focus areas of the strategy.

8: Meeting Administration and Protocols

The Panel will be convened by its Chair or their nominee.

The Council will provide administrative support including:

- scheduling meetings of the Panel and provide virtual meeting links where appropriate
- compiling and circulating agenda and attachments to all members
- taking and distributing minutes
- coordinating other meeting arrangements and ensuring the accessibility of meeting procedure and materials

The Panel will meet a minimum of four times a year on dates and at places to be set out in advance for each year. However, additional meetings can be called and must be advised at least 10 working days before the scheduled date.

Where applicable and advised by Panel members, adjustments will be made for all members including adjustments around communications and correspondence and business, for example, a sign language interpreter, printed material in alternate formats, audio captioning services, water bowl for guide dogs, narrative information regarding design plans, PowerPoint presentations prior to meetings and/or any other requirements.

9: Fees

Individual Panel members will be provided with a fee of £40 for each official Panel meeting they attend. The meetings are for a maximum of 3.5 hours with appropriate breaks.

An attendance register will be kept for all meetings for reimbursement purposes.

There may be times when Individual Panel members prepare for a meeting but are unable to attend. In these circumstances a proportional reading time fee can still be paid, in negotiation with the Panel Chair.

Individual Panel members will be reimbursed out-of-pocket expenses incurred by attending Panel meetings such as payment for a personal support worker and transport expenses.

It is expected that Panel members who are organisational representatives will be supported by their organisation to attend where they are a paid member of staff. For volunteer led organisations, the appropriate fee will be paid. The council will ring-fence funding for members of the Disability Panel to recognise the time and expertise of those involved, and to help foster sustainable change.

Recognition can be in variety of forms including but not exclusively training, development, opportunities.

10: Reporting, Monitoring and Evaluation

Activities of the Panel will be reported 6 monthly to BHCC.

A formal evaluation with the Panel will take place in the last meeting of the year and reported to the council's Corporate Equality Delivery Group and the TECC [Tourism, Equalities, Communities & Culture] Committee as part of updates on the Accessible City Strategy.

11: Disputes

Where disputes within the Panel occur, it will be the role of the Chair to seek resolution within the group. Where this is not possible, the involvement of the Council Lead for the Disability Panel will engage with the Chair (and wider Panel if appropriate) to determine the most appropriate resolution to the issue.

BHCC reserves the right for the Council Lead for the Disability Panel to follow the process laid out in section 12 of these Terms of Reference and move to dissolve the Panel if they deem this is the most appropriate course of action.

12: Dissolution

If the Panel becomes unable to meet these Terms of Reference or the Council Lead for the Panel determines it is no longer fit for purpose, BHCC reserves the right to dissolve this Disability Panel. It may be replaced in an alternative format or may not be replaced at all.

Accessible City Strategy Wider Reference Group

Accessibility

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Note:

The term 'disabled' is used throughout this document as defined by The Equality Act 2010, which states that a person has a disability if they have a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on person's ability to carry out normal day-to-day activities.

In this document the term 'disabled' also includes individuals with long-term limiting or fluctuating health conditions.¹

Purpose of the Group, expectations and how the Group will operate

1. Role of the Group

The role of the Brighton and Hove's Wider Reference Group is to provide a safe, inclusive space for D/deaf, disabled people and neurodiverse people to give their views and participate in discussion on how the City and Council services can become more accessible.

¹ [Disability: Equality Act 2010 - Guidance on matters to be taken into account in determining questions relating to easy-read.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/428222/Disability_Equality_Act_2010_-_Guidance_on_matters_to_be_taken_into_account_in_determining_questions_relati...)

The discussions of and feedback from the Group will inform the recommendations given by the Brighton and Hove's Disability Panel to the Council on improving accessibility in the City and in Council services. The Group's views will also inform the development and delivery of the Council's Accessible City Strategy.

The Group will function as a membership group, whereby there is no set limit to the number of people on the Group. People may join the Group and participate in the work of the Group when and if the focus of the Group's work is relevant. The Group will seek to work in a range of ways, including, but not exclusively, online surveys and meetings and in-person meetings, to maximise inclusivity and opportunity for participation.

In its work Wider Reference Group must recognise it does not have the authority to:

- Expect their views, wholly or in part, to be accepted and acted upon by the Brighton and Hove City Council.
- Commit or expend resources on the Council's behalf.
- Commit the Council to any actions.
- Consider any matter outside its specific areas of activity.
- Direct the Council employees in the performance of their duties.
- Represent the Council in any communication with the public or media.
- Act in the name of the Wider Reference Group outside the remit of the Group.

2. Values and Ground Rules

The values of the Group are:

- Respect
- Honesty
- Openness
- Kindness
- Confidentiality
- Equitability
- Accessibility
- Effectiveness
- Ethicality.

All Members participating in the Group or in the Group's name agree to observe and respect the Group's values.

3. Conduct and Confidentiality

Group Members must declare any conflicts of interest and must adhere to Brighton and Hove City Council's policy and procedure in this respect. Group Members may be given access to information not yet in the public domain or to policies under development. This information must not be shared outside the Group, including within their organisations, in the press or on social media, without prior written permission from the Council. This applies both during and after Members' time on the Wider Reference Group.

4. Membership

The Group is open to:

- Representatives from Disabled People's Organisations that support and empower D/deaf, disabled people and neurodiverse residents of Brighton & Hove – ideally with lived experience of disability themselves.

Membership of the Wider Reference group is limited to one or two representatives per group/organisation.

There is no set term for membership of the Group.

A Member will cease to be a Group Member if they:

- Request to be removed from the Group.
- Do not participate in the work of the Group for more than a year.
- Do not abide by the values and ground rules of the Group.

Members can request to be removed from the Group by contacting the council's Equality, Diversity and Inclusion Team by:

- E-mailing edi.officer-disability@brighton-hove.gov.uk
- Telephoning 01273 291952

5. Meeting Administration

The Group will be co-facilitated by a representative of Possability People and the Council's Equality, Diversity and Inclusion Team.

The Group will be administrated and convened by the Council's Equality, Diversity and Inclusion Team.

This will include:

- Scheduling meetings of the Group and providing virtual meeting links where appropriate.
- Compiling and circulating agenda and papers to all Members.
- Taking and distributing minutes of meetings.
- Coordinating other meeting arrangements, including ensuring the accessibility of meeting venue, procedures and materials, for example, a British Sign Language interpreter, Makaton interpreter, printed materials in alternative formats (for example Easy Read, Braille), audio captioning services, water bowl for guide dogs, narrative information regarding design plans, PowerPoint presentations prior to meetings and/or any other requirements (i.e. comfort breaks as required).

The Group will meet a minimum of four times a year. The dates and venues for the meetings to be set

Additional meetings can be called and must be advised of at least 10 working days before the scheduled date.

6. Fees

Groups/organisations will be paid a donation of £20 for each meeting that they attend, regardless of whether one or two representatives attend. The organisation is being paid the donation rather than the individuals themselves.

Groups/organisations will be paid a donation of £10 for each survey response they return.

An attendance register will be kept for all meetings for reimbursement purposes.

7. Reporting, Monitoring and Evaluation

Activities of the Wider Reference Group will be reported annually to Brighton and Hove City Council's Corporate Equality Delivery Group (CEDG) and the Tourism, Equality, Culture and Communities (TECC) Committee as part of updates on the Accessible City Strategy. This will include a formal evaluation with the Group in the last meeting of the year.

8. Disputes

Should a dispute occur within the Group, the co-facilitators of the Group from Possability People and the Council will seek to mediate and resolve the dispute.

Where this is not possible, the Council Lead for the Disability Panel will engage with the Group to determine the most appropriate resolution to the issue.

In the event of a dispute between the Wider Reference Group and Brighton and Hove City Council arising, a representative agreed by the Group shall provide a written notification to the Council Lead for the Disability Panel with a statement of the nature and grounds of the dispute. The Council Lead for the Disability Panel shall convene a meeting with the representatives of the Group within ten working days. If no agreement is reached because of that meeting, by mutual agreement the parties may seek local mediation. The Council is committed to resolving disputes in partnership with the Group with a view of the parties reaching agreement at the earliest possible stage.

BHCC reserves the right for the Council Lead for the Disability Panel to follow the process laid out in section 9 of these Terms of Reference and move to dissolve the Group if they deem this to be the most appropriate course of action.

9. Dissolution

In the event of Wider Reference Group becoming unable to meet these Terms of Reference or if the Council Lead for the Disability Panel determines it is no longer fit for purpose, Brighton and Hove City Council reserves the right to dissolve the Wider Reference Group. It may be replaced in an alternative format or may not be replaced at all.

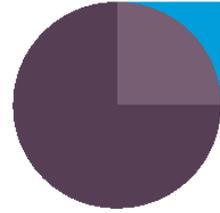
10. Expectations of the Disability Panel and the Council

The Disability Panel is expected to:

- Utilise support and subject matter lived expertise provided by the Wider Reference Group.
- Ensure that the expertise of the Wider Reference Group is heard, respected and constructively used at the strategic level.
- Report back to the Wider Reference Group on how their input has been incorporated and what actions or outcomes have been achieved as a result.

Brighton and Hove City Council is expected to:

- Provide a response to issues raised and discussed by the Wider Reference Group in as timely as possible a way, ensuring a clear feedback loop.
- Give due reference to the Wider Reference Group, wherever appropriate, in either the Community Engagement or Equality Impact Assessment sections of BHCC committee reports.
- Host an annual stakeholder event/conference with relevant partners, at which progress on the Accessible City Strategy and the work of the Wider Reference Group will be shared and subsequently reported to the relevant Brighton and Hove City Council Committees.



Freeney Williams

Brighton and Hove City Council

Accessible Strategies

External Environment Review

April 22

1 Introduction and methodology

As part of Brighton and Hove City Council's (BHCC) project to develop an accessible City strategy, we were asked to undertake a comparative review of various strategic approaches adopted by local authorities at a local, regional and national level in relation to accessibility. This was to identify any additional best practices not already included in BHCC's approach which might prove beneficial.

It was agreed the research for this report would need to be via web searches. Consequently, we reviewed in detail three authorities local to Brighton, i.e., Chichester, Lewes, Easbourne; three City authorities, i.e., London (including Mayor of London and the GLA), Leeds and Guildford that are broadly comparable with BHCC. In addition we undertook a deep dive into 20 local authorities plus a further skim review of 10 authority sites.

We also reviewed the Local Government Association (LGA) advice and the linkage with the government's Disability Strategy.

Clearly the results can only include published information and cannot identify any strategies being developed by authorities where they do not appear on individual websites.

2 Overview of findings

In essence the approach being adopted by BHCC, an authority-wide integrated and holistic strategy based on best practice, was not found to be duplicated anywhere else. This means BHCC should be considered a field and thought leader in its approach.

The key features which underpin BHCC's approach are:

- The establishment of underpinning principles, e.g., using the social model and removing barriers
- An authority-wide overarching strategy with agreed underpinning best practice principles and with the social model being at the heart of its approach;
- All Directorates to contribute to the strategy with their own action plans for which they will be accountable
- A central engagement and expert role being played by a Disability Panel and Wider Reference Group consisting of disabled people's organisations from around the City, as well as individuals with lived experience of disability
- The use of the Council's position to influence non-authority organisations to proactively engage with and support the Council's work and approach, e.g., other public sector bodies.

In the sections below we explore the key features of BHCC's approach and compare those approaches commonly adopted elsewhere.

It should be noted whilst no other authorities were identified as using a similar approach in its entirety, this does not mean other authorities are not addressing the issue of inclusion for disabled people. However, generally speaking, approaches appear to be based on themes and legal obligation.

Additionally, the term "accessibility" is widely used by all authorities but it is typically not defined and appears to be narrow in its application. As an example, many Local Authorities have what they define as an Accessibility Strategy, however, commonly they are limited to specific areas such as children, young people and SEND responsibilities and the built environment.

Through our research we did identify a range of operational good practice initiatives. Whilst it was not in our remit to identify such activities, we have shared these in Appendix 1 as they could prove a useful reference resource for some Directorates.

3 Underpinning principles

BHCC have established a series of underpinning principles based on best practice which inform its approach in this area. For example, using the social model and removing barriers as part of a business-as-usual process, ensuring disabled people are central to all aspects of the strategy, developing specific action plans and monitoring of performance.

This approach was not found anywhere else although The Greater London Authority (GLA) has established a set of underpinning values regarding their approach to promoting disability equality with high level outcomes. This was a good example which highlighted the following principles as central to their strategy and approach:

- Choice
- Independence
- Dignity
- Being welcoming

- Offering flexibility
- Being convenient
- Offering easy access
- Disabled people feeling comfortable
- Disabled people feeling safe
- Providing opportunities for everyone to fulfil their potential.

Despite these useful principles being identified, there was no evidence of an integrated strategic approach across all of the GLA's work. Nevertheless, establishing these values provides a useful touch point for the work of the GLA although they appear to be used in a limited manner. As a political / structural point, it does not have the degree of practical involvement in local contexts, e.g. infrastructure.

BHCC may wish to consider developing their own set of principles as an overt statement of understanding and their approach and include these in their overarching strategic aims.

All authorities have accessibility statements, but these tended to focus entirely on website access and there was no evidence of using this mechanism to drive inclusion across the board. BHCC should consider using accessibility statements as part of its public statement about its approach. However, it should take care to ensure such statements go further than itemising issues around websites. Indeed, such statements might well be linked to the values discussed above.

4 Authority-wide strategy

We could not identify any authorities who have developed a comparable organisational-wide strategic approach which is being adopted by BHCC. All authorities considered the specific issues related to accessibility and disabled people, however, typically these were contained in issue-specific strategies and often in support of legal obligations. Most common were:

- Transport
- Education
- Adult social care
- Children's' services
- Housing and the built environment
- Tourism and the wider visitor economy.

A number of Councils we reviewed had specific strategies for some or all of these areas, which did take account of disabled people and their accessibility requirements. However, their approaches lacked the consistent and strategic approach planned by BHCC and we found no evidence of best practice underpinning principles.

The main priorities for authorities in relation to accessibility considerations were:

- Transport and access to the town centre
- Creating equal life chances for all

- Housing design and choice
- The protection and enhancement of social infrastructure
- Building an accessible visitor infrastructure
- Building safe and accessible neighbourhoods and communities
- Creating an inclusive environment for all.

Any plans around these issues then addressed specific issues by, for example, issuing guidance on planning and inclusive design, building sustainable communities and so on.

Our research did identify some good examples of specific strategies which, although not taking an organisation-wide approach, do provide some good practice examples for BHCC to consider.

The London Assembly offered a number of good practice examples which are shared here.

- [The Mayor's strategy for equality, diversity and inclusion | London City Hall](#) – this is a strategy that incorporates all aspects of inclusion, rather than focusing on the single issue of accessibility for disabled people. However, it does not take a whole organisation approach and addresses disability specifically.
- This overall EDI strategy has been supplemented by a set of specific commitments to support Deaf and disabled people across London, which is detailed at [Deaf and disabled communities | London City Hall](#)
- [Accessible communication policy | London City Hall](#) is a good example of how London has built accessibility into its communications approach.

Leeds City Council also provided a number of issue specific approaches and strategies which we have identified as providing best practice approaches. These include:

- A strategy that focused the Council's priorities on building a healthy environment for people of all ages across the city. This can be found at [Health and wellbeing strategy \(leeds.gov.uk\)](#)
- The Council's Parks and Green Spaces strategy specifically focused on accessibility for all and ensuring disabled people have access to these outdoor opportunities. This can be found at [Parks and Green Spaces Strategy 2022 to 2032 \(leeds.gov.uk\)](#)
- The Council's strategy on dementia identified the building blocks required to be a dementia-friendly city and both the priorities and actions required by the Council and their partners. Details can be found at [Dementia strategy \(leeds.gov.uk\)](#)

5 Accessibility is everyone's responsibility

BHCC will require all of its Directorates to develop their own approach to ensuring accessibility in their areas of responsibility within an overarching framework. This will include establishing action plans which link directly into the authority-wide strategic

aims. These plans will take into account the overlaps and intersectionality issues which exist between Directorates. The end result of this approach will be an integrated authority-wide action plan directly linked to delivering the overarching strategic aims.

Given the above it was not surprising, therefore, that our research has been unable to identify any authority which required each of their Directorates to develop an action plan related to ensuring accessibility for all of their work and services. Clearly such issues were considered but not at a strategic level.

6 Engagement of disabled people and their organisations

BHCC's approach has at its core, a panel of disabled peoples' organisations and individuals with lived experience of disability which is further informed by a Wider Reference Group. This Panel and Wider Reference Group will play a key role in supporting the Council develop, plan, monitor and evaluate its approach. This Panel will also ensure wider engagement amongst disabled people and their organisations to ensure a broad base approach and that varying views are taken into consideration.

We found that most authorities have some degree of consultation and involvement from disabled people. However, we found no comparable examples to the approach in use by BHCC. The range of the approaches adopted is illustrated below.

The GLA has developed an Advisory Group specifically focused on developing the Arts whilst supporting and involving disabled people. This is an interesting approach in ensuring accessibility is not only about practical day-to-day elements, but also includes involvement in wider community events. Details of the group can be found at [Liberty Advisory Group | London City Hall Liberty Advisory Group](#). The details of what the approach is achieving can be found at [Liberty, inclusivity and the arts' recovery | London City Hall](#)

Transport for London has created a specific involvement and engagement group, details of which can be found at [https://madeby.tfl.gov.uk/2020/12/02/idag-members/#:~:text=Our%20Independent%20Disability%20Advisory%20Group%20\(IDAG\)%20is%20a%20panel%20of,barriers%20to%20accessing%20public%20transport](https://madeby.tfl.gov.uk/2020/12/02/idag-members/#:~:text=Our%20Independent%20Disability%20Advisory%20Group%20(IDAG)%20is%20a%20panel%20of,barriers%20to%20accessing%20public%20transport). This demonstrated a specific commitment to ensure that transport across all forms was made as accessible as possible. This is similar to the approach taken by BHCC and offers some best practice ideas for BHCC to consider.

Guildford Borough Council has a long-established disability advisory group, which has been in existence since 1978. This is a voluntary group which advises the Council and provides feedback on key issues that impact on disabled people. As with other examples, this group offers operational feedback on services, rather than contributing to the strategic direction of the authority. Given the length of time this group has been in existence, connecting in with this group may offer valuable insight for BHCC. Further details can be found at [The Guildford Access Group - Guildford Borough Council](#)

Eastbourne Council has a Disability Involvement Group with 25 members and includes one Council representative. The group provides feedback on issues such as transport, dropped kerbs and development plans. Further details can be found at <https://www.lewes-eastbourne.gov.uk/community/eastbourne-disability-involvement-group/>.

The Group has an agreed Terms of Reference which can be found at [EASTBOURNE DISABILITY INVOLVEMENT GROUP \(lewes-eastbourne.gov.uk\)](https://www.lewes-eastbourne.gov.uk/eastbourne-disability-involvement-group/). In some ways These are similar to the terms agreed for the BHCC Disability Panel, however, the group sets its own agenda and does not include a specific link to supporting the development of any Council strategy.

Chichester Council has a District Access Group which is made up of volunteers, but there is no apparent formal link to Council strategy development. Further details can be found at <https://www.chichesterdistrictaccessgroup.org.uk/>

7 Influencing beyond the authority

BHCC intends to use its wider influence and role to drive change outside its direct areas of responsibility.

We found limited examples of other Local Authorities using their influence with partner organisations and other stakeholder to address accessibility for disabled people. This is not to suggest this does not occur, but rather this is not publicised on Council websites or appear to be part of any strategic approach. However, there was one example, again albeit limited, which involved the Health Agencies within the Leeds area working together with the Local Authority under the banner of the health economy. Details of this approach can be found at [One minute guide: Health economy \(leeds.gov.uk\)](https://www.leeds.gov.uk/one-minute-guide-health-economy)

8 Local Government Association (LGA)

The LGA does provide a range of resources including case studies, research and comment on accessibility issues within the local government sector.

We have set out below a number of case studies from the LGA of Local Authority initiatives which have begun to address accessibility for disabled people in specific situations. These tend to be more operational in nature, but again these, along with others on the LGA site, might prove a useful reference resource for Directorates.

The LGA has showcased Leeds as a positive example of building equality into their planning approach. Further details of the case study can be found at [Equality and Strategic Planning – Leeds City Council | Local Government Association](https://www.leeds.gov.uk/equality-and-strategic-planning-leeds-city-council-local-government-association)

They also provide a number of potentially useful case studies which focus on support that Local Authorities can provide in terms of making life accessible for people with learning disabilities.

Again Leeds was highlighted as an example of providing leadership in this area. The case study can be found at [Leeds 'Good Lives Leaders' | Local Government Association](#)

A further series of useful case studies across different Local Authorities can be found at [Health inequalities: Learning disabilities case studies | Local Government Association](#). These examples showcase good practice around:

- Supported and independent living
- Improving communication skills
- Unlocking potential
- Promoting good health.

9 National Disability Strategy

The UK National Disability Strategy was launched in 2021 and will clearly need to be considered in the development of BHCC's Accessible City Strategy.

The national strategy was widely consulted on and the views used to inform the strategy. This involved disabled people, their families and carers. The strategy is rooted in the lived experience of disabled people and focuses on the social model as an approach to identify and tackle barriers. However, it should also be noted that the strategy was not well received by many disabled people and their organisations and they believed the consultation with them was flawed and insufficient. Nevertheless some aspects of the strategy may help inform BHCC's work in this field.

The consultation identified 7 core areas that disabled people experienced barriers with in their everyday lives and included:

- At home
- When commuting
- At work or in education
- When shopping or getting about
- When accessing public services online
- In feeling connected to others.

Clearly these are key touch points that the Accessible City Strategy will need to address through the Directorate's contributions and action plans.

The National Strategy has 3 parts, which will need to be reflected in the development of BHCC strategic approach and include:

- Part 1: Action now – practical steps to improve disabled people's everyday life
- Part 2: The longer-term ambition: putting disabled people at the heart of the design and delivery of services
- Part 3: A cross-government effort to transform disabled people's everyday life.

Part 3 will inevitably involve local government in the delivery of these outcomes including housing, transport, health and social care and education (amongst others).

Further details of the National Disability Strategy can be found at [National Disability Strategy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/national-disability-strategy).

Alongside the publication of the National Disability Strategy, the Government also published the results of the UK Disability Survey. Again this may prove a useful resource for Directorates in shaping their approach.

The survey identified that public perceptions of disabled people were a significant barrier to participation in areas including employment and education, and that the majority of disabled respondents to the survey felt that public attitudes towards disabled people were unhelpful. These findings underscore the need to improve public understanding and awareness of disability, to improve public attitudes towards disabled people, and to inspire social change across the UK. Clearly this will need to inform many of the actions that BHCC Directorates will need to develop.

Over half of disabled respondents reported being worried about being insulted or harassed in public places, and a similar proportion reported being mistreated because of their disability. Stronger measures are needed to tackle disability discrimination and hate crime. This is one of the key barriers discussed in the BHCC's principles document and will need to be addressed alongside more outcome-based actions within the Directorates.

Many disabled people and carers who had experienced difficulty accessing public buildings also reported difficulty accessing important public services. These findings highlighted the need to make accessing public services, including online services, as smooth and easy as possible.

Finally, over half of disabled respondents not in employment reported that they would like more help finding and keeping a job. Of those in employment, half of disabled respondents felt their employer was flexible and made sufficient reasonable adjustments, and half of carers felt their employer was supportive of their caring responsibilities. Only a quarter of disabled people and carers felt they had the same promotion opportunities as their colleagues. These findings highlight the need to improve support for disabled people to start or stay in work, to create more inclusive workplaces where disabled employees have equal chance to progress, and to strengthen rights in the workplace for both disabled people and carers

The full research report can be found at [UK Disability Survey research report, June 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97422/uk-disability-survey-research-report-june-2021.pdf)

Further research was undertaken by the Disability Unit and Policy Lab. This research focused on case studies around the lived experiences of disabled people, rather than providing research based on a representative sample.

The key areas explored included:

- Feeling valued and having a sense of self-worth
- Participants' identities (e.g., labelling, stigma etc.)
- Receiving and living with a diagnosis
- Using the benefits system

- Accessing formal support
- Family relationships and friendships
- Going outdoors.

Full details of the research report can be found at [Exploring the everyday lives of disabled people - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/research-data-and-analysis/publications/exploring-the-everyday-lives-of-disabled-people)

The final piece of research from a national level which might assist BHCC was specifically related to COVID. The research undertaken in 2020 by the Disability Unit focuses on the experiences disabled people had during the COVID pandemic response. This is likely to be an important focus for BHCC as it develops the Accessible City Strategy, whilst beginning to come out of its pandemic response.

The report can be found at [The lived experience of disabled people during the COVID-19 pandemic - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/research-data-and-analysis/publications/the-lived-experience-of-disabled-people-during-the-covid-19-pandemic)

9 Conclusions

BHCC should be seen as a leader in the development of a comprehensive Accessible City Strategy, which aims to address, in an integrated way, all forms of access requirements for both residents and visitors to the area.

The majority of other Local Authorities do consider accessibility issues, but they tended to be driven by individual departments or initiatives.

Appendix 1

Supplementary examples of good practice initiatives

Transport

This is a common issue for Authorities when planning their approach to accessibility. Providing information about the accessibility of transport (both public, private, cycling and on foot) is seen as critical in any approach to the success of an accessible strategy.

In the pursuit of accessible transport a range of approaches were used:

- Creating an illustrated journey through an accessible environment to allow people to visualise the journey
- Providing accessible information points throughout a person's journey
- Ensuring access to sufficient and suitable blue badge parking facilities
- Ensuring staff providing public transport are suitably trained in supporting disabled people using the transport.

Older infrastructure and inaccessible vehicle legacy issues continue to be a factor in providing accessible transport which inevitably had a broader impact on other accessible priorities such as social engagement and employment.

To seek to achieve a level of consistency in ensuring accessible transport the Department for Transport issued a policy paper entitled The Inclusive Transport Strategy: achieving equal access for disabled people which can be found at [Inclusive Transport Strategy: achieving equal access for disabled people - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/Inclusive_Transport_Strategy_achieving_equal_access_for_disabled_people_-_GOV.UK.pdf)

Housing and the Built Environment

The Greater London Authority has developed specific guidance included in the Shaping Neighbourhoods Accessible London: Achieving an Inclusive Environment – Supplementary Planning Guidance.

This document provided advice to boroughs, developers, designers and planning applicants on implementing inclusive design principles.

Further details can be found at [Accessible London: Achieving an Inclusive Environment | London City Hall](https://www.london.gov.uk/what-we-do/our-services/accessibility/accessible-london-achieving-an-inclusive-environment)

The City of London made similar strategic commitments, particularly to building an inclusive environment and published a number of guidance documents to support this approach. Further details can be found at [Inclusive design - City of London](https://www.cityoflondon.gov.uk/what-we-do/our-services/accessibility/inclusive-design)

Transport for London has created a Streetscape Guidance document, which sets a high standard for the design of streets and spaces to take account of inclusive design practice. The key elements of the guidance include:

- Footways
- Carriageways

- Crossings
- Kerbside activity
- Footway amenities
- Safety and functionality
- Street environment
- Transport interchanges.

Further details of this approach can be found at [Streetspace funding and guidance - Transport for London \(tfl.gov.uk\)](https://www.tfl.gov.uk/streetspace-funding-and-guidance)

Leeds City Council has also taken a strategic approach to building accessibility across the City. One of the key focuses is a commitment to build and develop an accessible City infrastructure.

It has provided supplementary planning guidance to ensure accessible and inclusive design principles are factored into all relevant decisions. The guidance is pan-impairment and provides a clear flowchart of where inclusive design principles sit within the design and planning process, including impacting on key decisions.

It specifically considered inclusive design and accessibility when making planning decisions around:

- Change of use
- New shop front applications
- Access alterations
- New build development
- Aesthetics.

It provided a checklist for applicants and developers around issues they need to consider when making an application.

The Council also provided Inclusive Design Information Sheets to provide further guidance which covers:

- Paths and path gradients
- Seating and street furniture
- Ramps (external)
- Steps (external)
- Disabled parking (off highway)
- Entrance doors
- Glazing manifestations
- Colour / visual contrast
- Accessible toilets
- Sources of further information.

Further details can be found at [Supplementary Planning Documents and guidance \(leeds.gov.uk\)](https://www.leeds.gov.uk/supplementary-planning-documents-and-guidance)

A significant number of local authorities are using the Lifetime Homes Standard, which incorporates inclusive by design principles, to supplement their thinking,

planning and decision making when looking at all planning applications (whether for new build developments, refurbishments or changes). A checklist has been created which a number of Local Authorities reference using in making key decisions. Further information can be found at [Microsoft Word - Lifetime Homes Standards Checklist - April 2015 \(lbbd.gov.uk\)](#)

The Planning Advisory Service provided further guidance and a number of case studies involving Local Authorities.

As a further resource the Improvement and Development Agency has produced a Good practice Guide in Access to Housing and Good Housing Services. This can be found at [Layout 1 \(housinglin.org.uk\)](#).

Tourism and the Wider Visitor Economy.

Research by Accessible suggests that 98% of people with access requirements checked the location criteria before visiting a location for the first time. The research further suggests that 76% of disabled people with access needs choose not to visit a location if they are unable to find the accessibility information they require.

To achieve this, some local authorities are requiring all new hotel developments to have a minimum number of accessible rooms. This allows the planning process within the Council, to directly influence this key element of the visitor economy.

Chester is recognised across the UK as a city with a significant heritage culture. Like in Brighton, this has created challenges to disabled people who have access requirements. The City has addressed these challenges head on and became the first UK city to win the European Access Award in 2017.

Chester has undertaken a wide ranging, comprehensive and ongoing programme of works to ensure it is as accessible as possible. Actions have included:

- Creating wheelchair access wherever possible to heritage parts of the City, including installing lifts and escalators where this was an option
- Providing accessible information panels in the city
- Accessible visitor information is available via a dedicated App
- Ability Angels (volunteers) who provide friendly company and support with shopping for disabled visitors who require this
- Building strong links with ShopMobility
- Providing significant amounts of Blue Badge parking throughout the City
- All City transport is fully accessible, together with a Dial-A-Ride service which provides wheelchair accessible vehicles
- Having a strong focus on providing appropriate changing places and accessible toilets across the City.

In addition an Action Forum (similar to the planned Disability Panel) has been established to guide and support much of this development. The Forum has a key role in the design of major new developments including retail, culture, leisure, transport and health facilities.

As a further resource In terms of guidance, English Heritage in 2015 produced a guidance document called Easy Access to Historic Buildings which may be of use in determining what is appropriate within the context of Brighton's heritage environment. Further details can be found here [Easy Access to Historic Buildings \(historicengland.org.uk\)](http://historicengland.org.uk)

Health

The LGA has undertaken research specifically related to people with learning disabilities and highlighted their experience during the COVID situation. This research can offer BHCC suggestions on how to ensure this group of people are not left behind in the recovery period from the pandemic. Full details can be found at [Health inequalities: Learning disabilities and COVID-19 | Local Government Association](#)

Wider Community

The LGA has provided some useful case studies and commentary on supporting disabled people to be able to take an active part in the community and in democracy. They have provided two specific resources around supporting disabled people to become involved in local Government and in the wider community. These can be found at:

- [The 'So what, what next?' project: supporting people with a learning disability, autism or both to use their skills and interests to play a part in the community \(local.gov.uk\)](#)
- [Make a difference. Be a councillor. A guide for disabled people. \(local.gov.uk\)](#)

External Stakeholder Analysis

Section 1: Introduction

This external stakeholder analysis is based on meetings and conversations with a wide range of organisations and people across Brighton & Hove. We engaged with 9 Disabled People's Organisations and 6 individual disabled people.

The organisations we engaged with were pan-impairment and covered physical, sensory and cognitive disabilities. Those who engaged were from both larger DPOs and some of the smaller organisations supporting people in the area. The organisations who engaged are listed in Appendix 1.

The conversations focused around 3 key themes:

- What does disability mean?
- What does accessibility mean?
- What are the issues for you and the disabled people you support?

These themes are addressed in detail below.

All stakeholders were made aware that this project was intended to support BHCC's planning process and thinking prior to the development of the Accessible City Strategy. They understood that further consultation and engagement will be undertaken in order to develop the strategy itself. Inevitably thoughts and ideas were shared about what the Council could do to make the city as accessible as possible. These ideas are reported here, so as not to lose this vital voice.

The experiences and views expressed during this project have not been edited in this report and are reflected as the issues participants chose to focus on. Much of the focus was on physical access, as many participants were focusing on the practical aspects of accessibility in their every day life.

Section 2: What does disability mean?

As would be expected, the views on what disability means are wide ranging. Clearly physical disabilities (such as wheelchair users) were a key element in understanding what disability means.

There was also a strong view expressed about the importance of recognising mental health and emotional wellbeing as part of any definition and understanding of disability. A strong focus on both visible and non-visible disabilities was identified as a key factor here.

DPOs focused heavily on the importance of using the social model in interpreting what disability means and how this needs to be reflected both in the development and approach of the strategy and the language used throughout.

It was also recognised that not everyone who has accessibility needs identifies as disabled, so there is a need to ensure the strategy has far reach and is communicated with this in mind.

A number of organisations and individual disabled people expressed the view that, certainly for children and young people with a disability, the definition should be extended to include family members who support that person.

As will already be recognised by BHCC, it is important to reference the Deaf community as distinct from the disabled community. Although clearly not all deaf people agree with this, it was the view expressed by those involved in this project.

Section 3: What is Accessibility?

A recurring theme throughout the discussions was the importance of being able to live as independently as possible. This means being able to access services with minimal barriers, even though disabled people may need to do this differently (such as providing alternative means of contacting specific services if the typical route would not work for that person).

Living independently means that everything should to be accessible on the journey a person is taking from leaving home to arriving at their destination and include whatever activity they are undertaking. This might include things such as:

- suitable, appropriate and available changing spaces;
- the use of accessible toilet facilities (without having to ask permission to use them as this does not maintain a persons dignity);
- appropriate parking facilities for people who are unable to take public transport;
- roads and pavements that are free of barriers; and
- accessible public transport.

Accessibility was about quality of life and feeling welcome across the City. It was felt that Brighton & Hove was a fairly welcoming City, but this was not experience for all. For some people the City was seen as inaccessible when people do not receive the support that they need. There was an understanding that the City is old, with many heritage building which can be difficult to access and the steps the Council can take may be limited.

There was a concern that accessibility sometimes was seen as an inconvenience and not important enough to invest time and money. As an example, during the COVID response the focus was on the need to provide outside space for leisure activities (such as dining). However, this had a detrimental impact on some disabled people who have physical access requirements who found it difficult to navigate around a significant increase in street furniture. There was a view that non-disabled people were prioritised at the expense of disabled people.

British Sign Language users felt that their needs were seen as negligible so not taken into account. As an example, online services do not routinely provide subtitles or BSL interpretation.

There was a feeling that where accessibility needs are not planned for, disabled people can become excluded. There would appear to be the need to think more

carefully about the customer experience and journey specifically for a disabled person. This would involve asking key questions such as:

- What are the potential barriers?
- How do we remove or minimise these barriers?

Research shows (and is supported by the views of people engaging in this project) that disabled people do not always push for what they need. This is particularly the case if there appears to be barriers in the way of accessing what they need. This can leave disabled people both excluded and frustrated.

As mentioned previously in this report, a focus on the social model of disability would actually improve access for all. For the people who engaged with this review, BHCC needs to recognise the social impact of getting things wrong and not being accessible

Accessibility also requires a focus on information. This includes:

- How information is presented
- How easy it is to find and understand
- How meaningful it is in supporting disabled people.

There was a strong feeling that some of the key messages and priorities communicated by BHCC can leave disabled people feeling excluded. For example, there is a strong messaging campaign focused on “leave your car at home” and walk, cycle or take public transport. For some disabled people and their families, this is not a realistic alternative. This led some disabled people they subsequently felt an inconvenience and were judged by others for not embracing this principle. They also felt that their options were becoming increasingly limited, because of this environmental focus.

Accessibility features are available in some areas of the City and this is valued. However, there were many experiences of accessible toilets being filled with baby changing facilities which meant there was insufficient room for the disabled person to move in the area or it being used as a storage facility (e.g. for cleaning products or spare chairs).

Some accessible services (such as trikes to be able to access the beach) were not being reserved for people with the need for it but used by people who wanted to have fun. This lack of prioritisation reduced a disabled person access to spending time on the beach.

Accessibility also means being able to enjoy all of the services offered to disabled people, rather than this being limited. For example, in a local leisure centre a hoist was provided to access the main swimming pool, but not the jacuzzi or hydrotherapy pool. This meant the disabled person was limited in terms of what they could use.

It is also important to recognise intersectionality when considering accessibility. A disabled person has many other characteristics alongside being disabled. In considering accessibility, BHCC needs to take account of the additional barriers disabled people may face such as the impact of poverty, lack of accessible housing,

health inequalities, a lack of meaningful social engagement and access to meaningful work experience and employment.

Section 4: What are the issues for you and the disabled people you support?

During this project, a number of issues were raised by disabled people which they would like BHCC to be aware of as they develop an Accessible City Strategy. These are explored below.

Impact of COVID

COVID has made things much harder for many, particularly disabled people and there is a concern that disabled people are being left behind as life gets back to “normal”. A number of face-to-face services (such as day centres for people with learning disabilities) have been closed and which are unlikely to return.

The Disabled People’s Organisations we engaged with recognised there had been a significant increase in the number of people with mental ill health during this time. There was a concern that if all services are moved online, this may lead to some disabled people feeling isolated and thereby left behind.

Building community

Partly linked to the impact of COVID, but also reflective of a longer-term trend, some disabled people involved in this project report experiencing a somewhat fractured sense of community which has led to feelings of marginalisation. This is due in some part to a reduction in face-to-face services for disabled people. There was a sense that to feel part of their own, as well as the wider, community, proactive steps need to be taken to rebuild this sense of community. For some, the absence of a sense of community has led to feelings of isolation and loneliness.

In a practical sense, there was a view that BHCC needs to give clearer thought to what a “community hub” means. This has been used as part of planning applications, where businesses have been granted a licence to operate, partly on the grounds of being a community hub. It was unclear to some participating in this project what the definition of community hub was. Their experience was that it allowed businesses to attract customers who could afford to pay for their services, rather than attracting those people who lived in the locality and would benefit from being involved in community activities. Of course not all disabled people who engaged in this project saw themselves as part of a disabled community as such.

Developing Council strategy and services

In terms of developing Council strategy and services, a strong view was expressed that disabled people and their needs should be placed at centre of what the strategy is about and not seen as add on. For example, when events are organised in the City, access requirements should be central to the planning of this. There was a feeling amongst those taking part in this project that accessibility was an “extra thought”.

It was seen as important that BHCC think about impact of its decisions on disabled people. For example, disabled parking removed during the COVID response so

others could exercise outdoors. For some, this implied that disabled people and their needs were less important. Other examples included temporarily changing the layout of City, closing roads, cafes etc coming out into pavement – without thinking about the impact on disabled people. When temporary changes are made which result in accessible provisions being removed, alternative provision is not always provided.

Connectivity across Council services / policies / initiatives was seen as critical. For example, cycle lanes were a good idea, but need to take account of disabled people and their accessibility needs. Ensuring that all aspects are connected would reduce the risk of silo thinking.

Linked to this was the need to ensure that accessibility and the needs of disabled people are reflected in every strategy and that this becomes business as usual for BHCC. The experience of some disabled people is that Council services and strategies are not linked up, which results in difficulty in accessing these services. A common experience reported was some disabled people needing to repeat themselves to numerous departments in order to access what they needed. A suggestion was made that involving disability specialists in the development of every strategy may improve this situation.

The organisations we engaged with recognised the need to have flexibility around how people accessed services. This included both the times when a person would be available to speak to them and whether the services was available face to face or only online. It was recognised that moving all services online could lead to digital exclusion for some disabled people. Having a range of ways to access the Council was seen as critical.

Some of the disabled people we engaged with found the system quite intimidating, specifically the number of forms they needed to complete and keeping up with changing rules and regulations. This led to a degree of disengagement with some people feeling “it just wasn’t worth it”.

Representation & Governance

In relation to representation and governance, there was a view that having a greater number of disabled Councillors would be beneficial to the disabled community. Of course, this may already be the case, given the nature of hidden disabilities. If this is the reality, then increasing the visibility of disabled Councillors may reassure people that their specific needs and experiences are at the heart of Council decision making.

Having lived experience of disability, particularly within the Brighton & Hove area was seen as critical when making decisions which affect the everyday life of disabled residents.

Linked to this was a desire to see disabled people represented across Council Directorates. Again, the actual representation of disabled employees at BHCC is not known to residents, so this concern may be based on perception rather than reality.

A key practical concern was the need to make all council meetings accessible. Specific concerns raised included the requirement to have subtitles available from the beginning, wheelchair accessible

Involvement and consultation

The importance of structured and meaningful involvement and consultation was identified as a key priority. There was a feeling that consultation currently was sometimes non-existent or tokenistic, meaning that disabled people's voices were not always heard or valued. This has led to a lack of trust in BHCC when people are asked to share information.

Clear signposting of available opportunities for consultation and involvement was important. Equally offering a variety of access routes to these activities was important, with not all being available only online.

Public transport and parking

A strong theme for a number of people involved in this project was the importance of being able to access a range of travel options.

There was excellent feedback provided from a range of stakeholders about the City bus services, both in terms of physical access and the training provided to bus drivers. This meant that for many people, they were able to travel around the City in a barrier free way.

For others, they were not able to access public transport because of their specific requirements and therefore relied on their own private transport. There was a concern that wider Council policy which encouraged alternative, green means of travel had, in effect, "demonised" the use of cars. The strong messaging around taking public transport, cycling for walking left some disabled people feeling judged because they were not able to do this.

The importance of having accessible parking options, throughout the City was seen as critical. There was also a sense of unfairness that some disabled parking spaces were time limited (such as on the seafront) whereas equivalent non-disabled parking did not have the same criteria applied.

The size of some parking spaces was also identified as a barrier. Although it was recognised that parking policy was intended to limit the parking of large camper vans overnight, this did restrict the ability for wheelchair accessible vehicles to use this space.

Section 5: Ideas to consider

Throughout this external stakeholder analysis, a number of ideas were put forward by stakeholders. These are recorded below in order to inform the development of the Accessible City Strategy.

- BHCC could take the lead in the provision of work experience and subsequent employment opportunities for disabled people, both within the Council and as an influencer with other stakeholders.

- City Accessibility Ambassadors, drawn from across BHCC and their partners who ensure that the needs of disabled people are taken into account when making decisions (such as the planning of public events)
- Advocates who are trained in supporting disabled people to be able to access Council services as easily as possible.
- Training made available to businesses on how to support disabled people across the City
- Accessible changing rooms and places across the City, which are freely available to disabled people and their families, preferably without the requirement to ask permission to use them
- Wheelchair friendly swings installed in play parks when they are being refurbished or developed.
- Ensuring that all communication uses simple language, simple concepts and visual illustrations. This could include, as an example, signs and symbols in play parks such as the use of Makaton

Appendix 1

Disabled People's Organisations that engaged with this project include:

- Possability People
- Scope
- Grace Eyre
- Speak Out
- Amaze
- Parent Carers Forum
- BADGE
- Mind
- Deaf Cog

Internal Stakeholder Analysis Report

Introduction

This report details the responses provided by each of the Directorates at Brighton & Hove City Council as part of the internal stakeholder analysis.

We attended a leadership team meeting with each Directorate to provide background to the Accessible City Strategy and the work this project was intended to undertake.

At each leadership team meeting there was a significant amount of enthusiasm expressed and commitments made to engage in follow up discussions about what accessibility meant to each Directorate. However, despite several requests, there was very limited engagement following these meetings. This has a major limiting impact on the amount and type of information this report can provide.

Additionally, we reviewed Directorate Business Plans to seek further opportunities to reflect the work of each business area and included this where possible.

The information provided tended to focus either on existing projects which Directorates are currently undertaking or broader and more generic accessibility issues (such as the importance of accessible communication routes). It is also worth noting their comments were more related to what a strategy might include rather than the process they will need to undertake to successfully support its development.

This indicates there is likely to be a need for a significant amount of support and direction to be provided by the EDI team as contributions to the strategy are sought from Directorates.

Directorate Analysis

Health & Adult Social Care

There was a recognition that an accessible city is one that is designed in a way that disabled people can live as they wish to, with choice and control. This needs to be much broader than access to statutory services and also incorporate quality of life. It should give disabled people the ability to access all services easily and in a timely way, without barriers. There was an acknowledgement that currently some disabled people have unequal outcomes and that equity rather than equality should be the driver.

The engagement of disabled people was seen as critical in understanding the goals of disabled people and avoiding a situation where the views of the Council are imposed on them.

Wider legislation clearly has a significant impact on the work of this Directorate and this needs to be part of an Accessible City Strategy. The Care Act does set clear criteria for access to services, which may create a bar for people in some circumstances.

Access to resources is also seen as a barrier that this may prevent a wider focus on achieving people's full potential.

The Directorate saw its role as one of signposting and partnership working in order to build equal outcomes for disabled people. Part of this is a need to seek advocacy partnerships across a range of disabilities and health impacts and a recognition that it needs to have conversations with different communities to understand the range of support options that may be required.

The Directorate wants to be part of a fair city with the best opportunities for all, including disabled people in order to reduce inequalities.

It felt that the attitude and approach of the wider community was important, which included a need for education and awareness interventions.

One of the key priorities of the Directorate was identified as mental health, particularly as the City starts to come out of its Covid response. This was linked to the importance of promoting a Dementia Friendly City.

It also recognised the opportunities it has to influence the outcomes for disabled people through connections with the NHS, CCG, mental health foundation oversight board, community services, care networks and 3rd sector providers in the City. Co-production of services across both Council Directorates and wider partners was seen as integral to accessibility for all.

On a practical note, it was acknowledged that the Council health impact assessment needed to include disability and accessibility in order to improve its effectiveness.

Language and labels were also seen as a key element to consider when developing an Accessible City Strategy. There was a view that the term “services” may not always be helpful and may lead some disabled people to feel limited by this label.

Housing, Neighbourhood & Communities

This Directorate recognised the need to building homes for the future, which are created from the start as “lifetime homes”. This included a focus on building homes for families, including those with children who have a disability.

Part of this focus is around the need for people to feel safe in their homes and neighbourhoods and to build safer communities. Therefore addressing Anti-Social behaviour and disability related hate crime was seen as critical.

Information sharing across the Council and with other service providers was identified as a key issue. An important aspect of accessibility was seen to be how residents can access information, including through digital means.

One of the key lessons learnt from the COVID response was seen to be the proven agility of services. The Directorate is committed to ensuring this is not lost as they come out of the immediate response to the pandemic.

Families, Children & Learning

This Directorate highlighted a wide range of services and support that they provided for disabled people, including children and families. The development and implementation of the SEND strategy and SEN plan was seen as a critical element of this delivery plan.

A number of projects within schools were highlighted including:

- The Accessibility Plan which each school has, published on their website and which the Board of Governors review
- Front line practitioner sessions were being delivered, both in mainstream and special school provision.
- A home to school improvement plan was in place.

Accessibility was seen to include a wide range of issues including:

- Health outcomes
- The involvement of business
- The impact on the environment
- Access to public transport

In terms of wider issues to be addressed within the Accessible City Strategy, this Directorate highlighted:

- The City infrastructure is challenging and should be considered when looking at accessibility
- It is important to engage with non-disabled people to build awareness around accessibility and the inclusion of disabled people

Strategy, Governance & Law

In this Directorate accessibility was identified as having confidence that the disabled persons voice was heard in the democratic process. This included ensuring that all Council meetings are accessible to the public, both in terms of physical space and support a disabled person may need during the meetings.

It was about consistency across Directorate's which led to a 1 Council approach. This required a clearer alignment of projects across the Council, which would avoid ad hoc projects and a stronger framework in the corporate plan for how to ensure an accessible city is built and developed. Procurement was identified as a specific workstream where accessibility was important.

Communication and engagement was seen as key, particularly in ensuring the Directorate was hearing the responses of disabled people. Part of this challenge was ensuring appropriate channels through which disabled people could communicate

Specific areas to address within this Directorate included:

- Access to cemeteries, including those on the risk register and where signage needed to be improved
- Access to registration services (death, marriage, approved venues) with the desire to maintain changes made during the COVID response which allowed people to access these services online.
- Electoral services including providing safe elections, voting venues and count venues
- Conducting an impact assessment before any major project was commenced (e.g. refurbishment of building projects).

Finance & Resources

The Directorates welfare support response was highlighted as a key contribution to the Accessible City Strategy. This includes

- mental health support
- addressing issues benefit dependency and debt for disabled people
- addressing the post-COVID response for this Directorate, including the reduction in COVID specific funding which was anticipated

The local transport plan was also identified as an issue to consider, including travel, bus partnerships and the impact of kerb heights.

Digital accessibility was identified as important, with links made to the Customer Digital Strategy. Specifically this was about the need to ensure that planning and consultation portals were accessible for disabled people.

Economy, Environment and Culture

This Directorate has responsibility for a wide range of services, many of which link in with wider Council departments.

A key element of this was planning, building controls and regeneration. There was a recognition of the need to provide genuinely affordable homes, which are accessible and fit for purpose. An opportunity to achieve this was identified when working on affordable housing developments, where the Directorate recognises the importance of working with partners to ensure properties are accessible and fit for the future

Currently all buildings are accessible within current legal requirements, although there is a desire to stretch beyond this legal minimum. To achieve this, inclusion by design principles will need to be built into specifications. This is currently governed by the National Planning Policy Framework.

The implementation of the City Plan is also a key driver in ensuring access is maintained. Equality Impact Assessments that are completed for planning and building controls (which cover equality, public interest and sustainability) can support in this process.

As a corporate landlord, the Directorate recognises the need to ensure physical and cognitive access to disabled customers.

As has been acknowledged by a number of Directorates, Brighton & Hove is a densely populated city with a high number of heritage buildings and old infrastructure. This can limit the changes that can be made to these buildings and may reduce the accessibility options. However, it is still acknowledged that the City needs to make reasonable adjustments to allow disabled people to access these buildings where possible.

The Directorate also recognises its role in supporting local businesses to be accessible, by understanding and delivering the needs of disabled people. There can be conflicts here, as the COVID response has led to an increasing number of businesses operating outside. However, this does have the potential to negatively impact on disabled people (e.g. by limiting the physical space to move around the City)

The visitor economy, was seen as critical to Brighton & Hove and linked to this was the importance of accessibility of information and services. This linked into the wide range of public events organised by BHCC, with a recognition that accessibility needed to be taken into account when organising such events.

There was a further recognition that BHCC had a unique opportunity to support the creative expression of disabled people and saw opportunities to commission art and other similar installations that recognised this talent.

This Directorate also has responsibility for environmental services, including parks, outside space and green spaces. As an example, there was a commitment to better communicate where walking paths were and to maintain these paths appropriately to allow wider access.

The Local Transport Plan was flagged, with a recognition that accessibility was key to the success of this. An important element of the Local Transport Plan was the Active Travel project and there was an ongoing focus on accessibility for disabled people as part of this.

Given the broad nature of the work this Directorate undertakes, there was a concern that accessibility could have a significant cost implication for this department. There was a strong commitment to deliver on this agenda, provided that the appropriate level of resource was provided to achieve this. As an example, any major infrastructure projects would involve significant investment, if BHCC wanted to go beyond the projects already being implemented.

Conclusions

It can be seen there is a significant amount of thinking which has already been undertaken and enthusiasm for these issues in the individual Directorates. However, care will need to be taken to ensure this is converted into prioritised, practical actions and outcomes and that cross Directorate issues are picked up to ensure a coherent Council wide approach.

The EDI team will need to support Directorates in how to focus their thinking at a strategic level, rather than addressing individual activities.

Brighton & Hove City Council

Council

Agenda Item 80

Subject: Annual Review of Standards related matters including Member Complaints

Date of meeting: 2 February 2023

Report of: Executive Director, Governance, People & Resources

Contact Officer: Name: John Peel
Email: john.peel@brighton-hove.gov.uk

Ward(s) affected: All

For general release

Action Required of Council:

To receive the extract of the Audit & Standards Committee for information

Brighton & Hove City Council

Audit & Standards Committee

4.00pm 24 January 2023

Council Chamber, Hove Town Hall

Minutes

Present: Councillor Wilkinson (Chair) Hugh-Jones (Group Spokesperson), Atkinson, Meadows, Shanks, Simson, West and Yates

Independent Persons present: Helen Aston and David Bradly

Part One

40 ANNUAL REVIEW OF STANDARDS-RELATED MATTERS, INCLUDING MEMBER COMPLAINTS

- 40.1 The Committee considered a report of the Executive Director, Governance People & Resources that provided a review of Standards-related matters, including a review of complaints received in during 2022 alleging that Members have breached the Code of Conduct for Members.
- 40.2 Councillors Meadows, West, Simson, Atkinson, Yates, Shanks and Hugh-Jones plus Helen Aston and David Bradly asked questions and contributed to the debate of the report.
- 40.3 **Resolved-** That the Committee note the contents of the Report and refers it to full Council for information.

The meeting concluded at 6.45pm

Brighton & Hove City Council

Audit & Standards Committee and Council

Agenda Item 40

Subject: Annual Review of Standards-related matters, including Member Complaints

Date of meeting: Audit & Standards Committee: 24th January 2023
Council: 2nd February 2023

Report of: Executive Director – Governance, People & Resources

Contact Officer: Name: Victoria Simpson, Senior Lawyer – Corporate Law
Tel: 01273 294687
Email: victoria.simpson@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 To provide a review of Standards-related matters, including a review of complaints received in during 2022 alleging that Members have breached the Code of Conduct for Members.

2. Recommendations

Audit & Standards Committee:

2.1 That this Committee note the contents of this Report and refers it to full Council.

Full Council:

2.2 That full Council note the Report.

3. Context and background information

3.1 Members are aware that the Council is required by the Localism Act 2011 to have in place arrangements for dealing with complaints against elected and co-opted Members. Brighton & Hove City Council reviews its arrangements very regularly, including its Code of Conduct for Members and related Procedure and guidance. It takes steps to make those arrangements transparent, and accessible. It also regularly publishes data on complaints against councillors, via the reports to this Committee.

3.2 At Brighton & Hove City Council, the Audit & Standards Committee has delegated authority for leading in discharging the statutory requirement that the Council maintain and promote high standards of conduct by Members. This Committee receives quarterly reports on complaints against members

as well as information on the training and briefings offered to assist Members in discharging their responsibilities in accordance with the Council's Code of Conduct for members, which are underpinned by [the Seven Principles of Public Life](#).

- 3.3 This Report provides the Committee with its quarterly update on complaints which have recently been received in, and/or are still being considered. It also provides data on all the complaints received in during the 2022 calendar year. The latter is placed alongside the data which is available for preceding years, as well as some of the limited data that other authorities make available. This is done for comparative purposes, so that members may better assess the overall picture at this Council.
- 3.4 Members are asked to note the contents of the Report and to make any comments or suggestions they wish regarding the ongoing challenges of dealing with the relatively large number of complaints received in by this authority in a context of budgetary pressures.
- 3.5 In accordance with this Committee's steer, it is recommended that this Annual Review be referred to full Council, so that it may be considered by all elected Members of the Council.

4. Quarterly data on recent or outstanding Member Complaints

Complaints previously reported to this Committee

- 4.1 For ease of reference, the update on complaints previously reported on but still being considered are presented in a new format, in a table. This is attached as [Appendix 1](#).

Complaints received in since last Update

- 4.2 No new complaints falling under this process have been received in since the last update. This is positive news, although it is partly attributable to the reduced time gap between this Committee meeting and the last one (which took place later than normal, on 29th November 2022).

5. Annual review of Member Complaints

- 5.1 This Report seeks to provide annual review data. It may be read alongside [the Report on this same topic published this time last year](#), which gave details of the mitigations enacted during 2021 to deal with an increase in complaints.
- 5.2 The data provided in [Appendix 2](#) offers a flavour of the volume of complaints made about elected members during 2022 and the topics highlighted in complaints, this alongside the data that is available for recent years. It also provides such comparator data as is available in a context where there is no requirement that authorities publish member complaint data.

- 5.3 The last annual review noted the increase in the volume of complaints during 2021. The possibility of a link with the additional pressures experienced by local authorities during the pandemic and the specific challenges of that time was mooted then.
- 5.4 Last year (2022) saw a decrease in the overall number of complaints against Members of this authority as compared to the two previous years. While information is not made publicly available by all authorities, some comparators are set out at Section 6 of Appendix 2. Members of Brighton & Hove City Council clearly received more complaints in that period than the other authorities considered.
- 5.5 Members are aware that there is no means of compelling Members to co-operate in investigations. [The Government's response](#) in March 2022 to the detailed 2019 review carried out by the Committee on Standards in Public Life on local government standards indicated that no further legislative changes are likely at this stage. Furthermore, since the passing of the Localism Act 2010, Standards Committees have no power to suspend a Member where there is a finding that the Code has been breached. The options are limited to censuring a Member and/or taking measures such as recommending training which the subject Member is free to accept or reject.
- 5.6 The data provided in Section 5 of Appendix 2 sets out the cost of outsourcing two investigations. The internal costs are not recorded as the work is undertaken by a number of different officers, who also undertake other roles.
- 5.7 Members are directed to Section 4 of Appendix 2 for data on the subject matter of complaints. This continues to be spread across a range of activity. One key common factor appears to be comments posted on social media: a topic which has been singled out for particular emphasis in member training (see para 6 below).
- 5.8 In all of the circumstances, and in a context where Members from all of the Party Groups as well as Independent Members have been the subject of complaints, the recommendation is that this Report be put to full Council so it may have an overview of the ongoing trend and the steps which have been taken in the key areas of communication and training.

6. Member Training & other steps

- 6.1 To assist Committee in discharging its role in promoting and maintaining high standards of conduct by councillors, Members were consulted regarding their training preferences during the summer of 2021. The following sessions on standards related matters were offered in the last twelve months (in addition to the member development training run by other functions of the Council):
- I. Refresher standards sessions delivered by officers to enable Members to recap on all aspects of the Council's standards arrangements (including the changes made to it following a root & branch review in summer 2021);

- II. Training sessions delivered by an external trainer on the use of social media, highlighting the challenges and opportunities for those Members who use social media in their roles as councillors;
 - III. Training for Members of the Audit and Standards Committee only, which is mandatory for any member participating in a Standards Panel.
- 6.2 Other initiatives referred to in the Appendix to the last annual Review (in January 2022) as having been recently taken included a root and branch review of the Council's Standards arrangements, which involved updating the Procedure to ensure the relevance of the tests for progressing complaints, as well as the Guidance which aims to set expectations for communicating with stakeholders. Other practical steps such as joining Group whips into complaints about members to assist in progressing them to resolution where appropriate have been continued during 2022.

7. Analysis & Consideration of Any Alternative Options

- 7.1 The Council is obliged under the Localism Act to make arrangements for maintaining high standards of conduct among members and to make arrangements for the investigation of complaints. This Council's arrangements are regularly reviewed. This Report draws attention to the wider picture without recommending specific options.

8. Community engagement and consultation

- 8.1 Recent reviews of the Council's Standards arrangements have been carried out by its elected Members, assisted by officers and the Council's Independent Persons, whose familiarity with process in this area has been helpful. The local community has not been consulted or provided input, although this would be an option for future reviews.

9. Conclusion

- 9.1 Members are asked to note the contents of this Report, which aims to assist the Council in discharging its responsibilities for overseeing that high standards of conduct are maintained in a way which is compliant with local requirements.

10. Financial implications

- 10.1 There are no additional financial implications arising from the recommendation in this Report. All activity referred to has been, or will be, met from existing budgets.

Finance officer consulted: Nigel Manvell Date consulted: 12/01/23

11. Legal implications

- 11.1 These are covered in the body of the Report.

Lawyer consulted: Victoria Simpson Date consulted: 05/01/2023

12. Equalities implications

- 12.1 There are no equalities implications arising from this Report, which reports on arrangements which have been developed with the need to ensure the Council and its members discharge their responsibilities with appropriate regard for equalities considerations.

13. Sustainability implications

- 13.1 No sustainability implications have been identified

14. Other Implications

- 14.1 No significant other implications have been identified as arising from this Report

Supporting Documentation

1. Appendices

Appendix 1 - Complaints previously reported to this Committee
Appendix 2 – Overview of complaints received in during 2022

2. Background documents

None

Appendix 1

Complaints previously reported to this Committee (at its November 2022 meeting)

Case No	Date	Status of complaint	Comments (incl basis on which complaint has been determined if applicable)	Detail re complaint topic
A/2022	January 2022	Ongoing	<p>A decision was made to refer this complaint for formal investigation. A written report was prepared and circulated. It included a finding of one or more indicative breaches by the investigative officer.</p> <p>The Monitoring Officer decided to refer the complaint for a Standards Panel for determination in December 2022 and a date for that panel is being sought.</p> <p>The relevant subject member has not responded to any communications regarding the complaint.</p>	Complaint regarding conduct on social media and language used when debating with a constituent.
E/2022	February 2022	Ongoing	<p>A decision was made to refer this complaint for formal investigation. A written report was prepared and circulated. It included a finding of one or more indicative breaches by the investigative officer.</p> <p>The Monitoring Officer decided to refer the complaint for a Standards Panel for determination in December 2022 and a date for that panel is being sought.</p> <p>The relevant subject member has not responded to any communications regarding the complaint</p>	Complaint regarding the member's conduct when discussing a key topic on social media.
J/2022	February 2022	Ongoing	<p>A decision was made to refer this complaint for formal investigation. A written report was prepared and circulated. It included a finding of one or more indicative breaches by the investigative officer.</p>	Complaint regarding the member's conduct when discussing a key topic on social media.

			<p>The Monitoring Officer decided to refer the complaint for a Standards Panel for determination in December 2022 and a date for that panel is being sought.</p> <p>The relevant subject member has not responded to any communications regarding the complaint.</p>	
W/2022	October 2022	Ongoing	Monitoring Officer decided that complaint was capable of amounting to a breach of the Code. Informal resolution mooted however lack of response from member has resulted in delay in process.	Complaint alleging that the member's responses on a ward matter had breached the Code.
X/2022	October 2022	Ongoing	Monitoring Officer decided that complaint was capable of amounting to a breach of the Code. Informal resolution mooted however lack of response from member has resulted in delay in process.	Complaint alleging that the member's responses on a ward matter (on same topic as in W/2022) had breached the Code.
Y/2022	October 2022	Determined at preliminary assessment stage	Insufficient evidence was considered to be available to support the complaint that there had been a conflict of interest.	Complaint concerned representations made by a ward Councillor about a resident's planning application. This made substantively the same allegation as in U/2022, purporting to provide additional evidence in support, and was determined on same basis.
Z/2022	October 2022	Ongoing	Remains at preliminary assessment stage and will be referred to in a future report.	Complex complaint regarding a member's activities in relation to a key project in their ward. Remains the subject of preliminary enquiries at the current time.

Appendix 2

Overview of complaints received in between 1st Jan 2022 & 31st Dec 2022 alleging that members have breached the code of conduct

Section one – Volume & Status of Complaints

Table 1 - Number of complaints

Complaints against members made in 2019	Complaints against members made in 2020	Complaints against members made in 2021	Complaints against members made in 2022
13	33	36	26

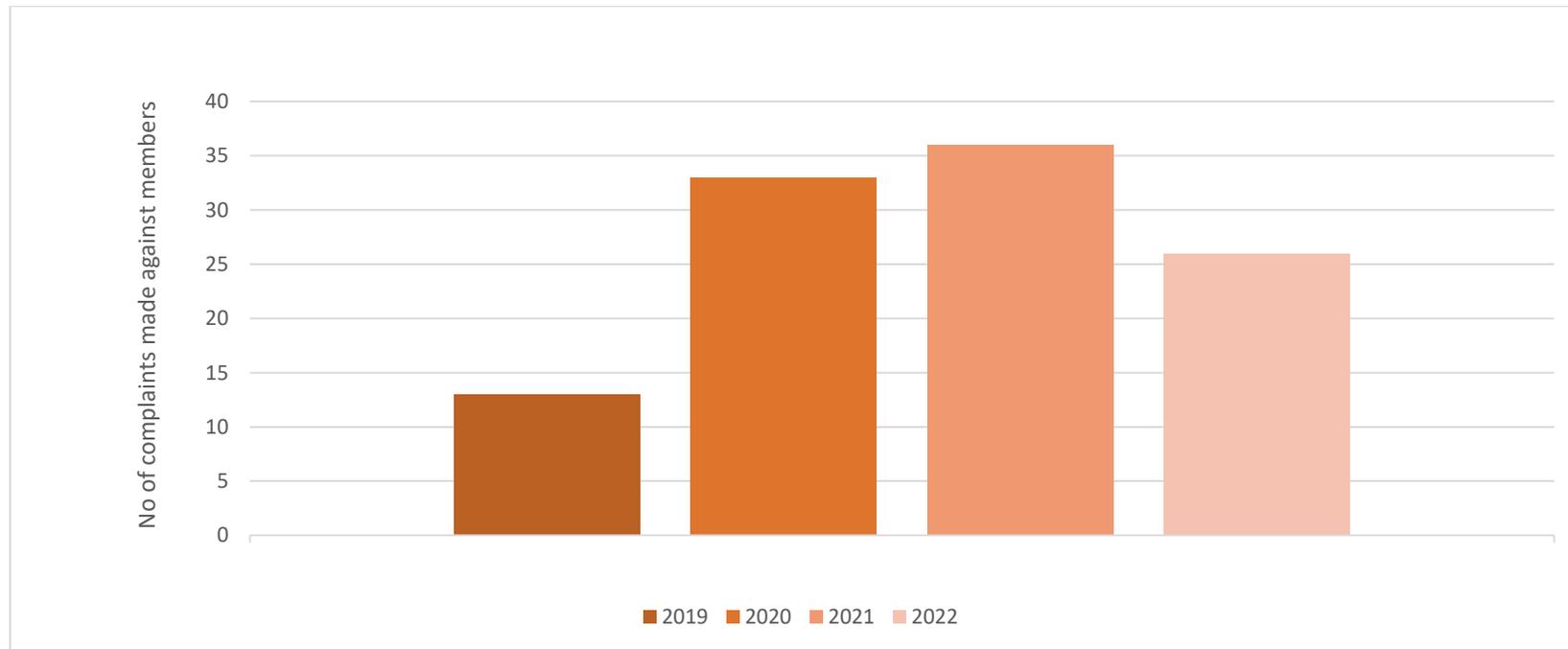
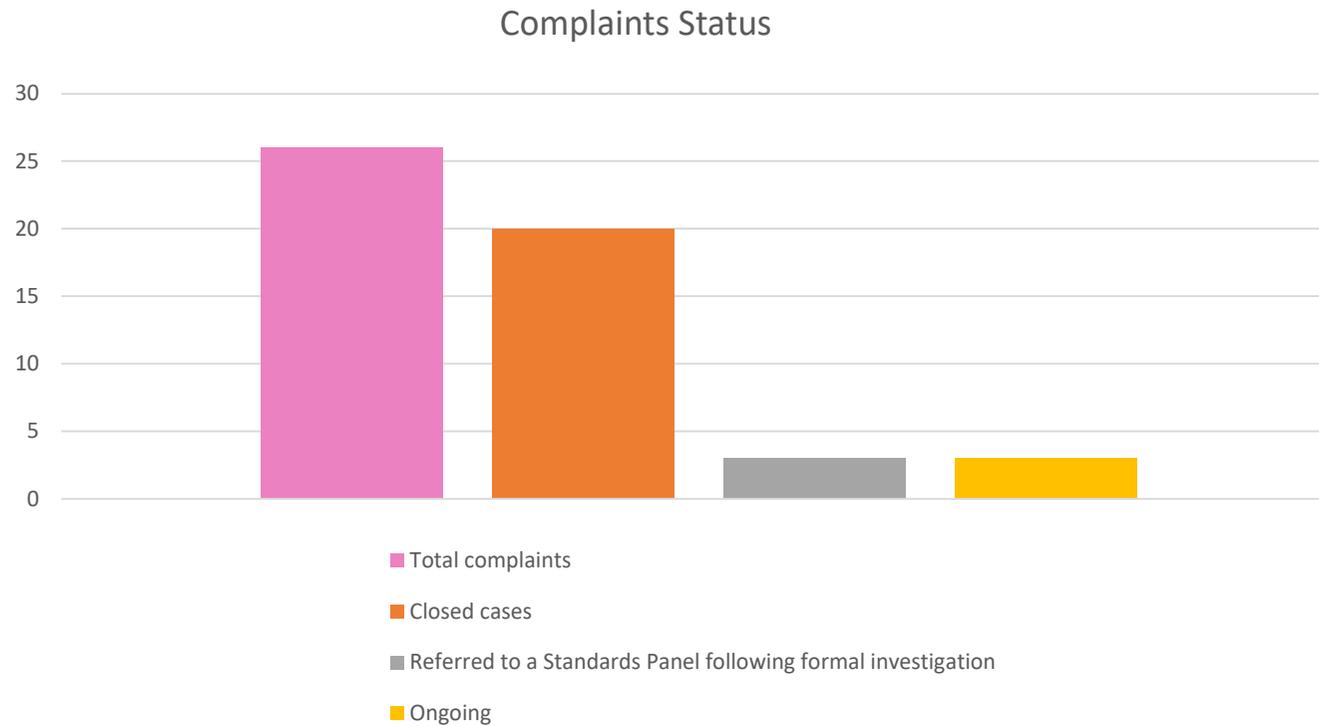


Table 1.1 – Status of complaints received in during 2022 as at 1/1/23



Comments:

- 20 complaints have been determined (NB this is in addition to the 11 complaints which were outstanding at end of 2021)
- 3 complaints have been formally investigated and referred to a Panel for it to determine
- 3 complaints are ongoing (ie are awaiting further progression at preliminary assessment stage)

Table 1.2 – number of complaints which remained outstanding at the end of year of receipt

2022	6 (3 of which have been referred to a Standards Panel)
2021	11

Section two – Data re subject members (ie the members who were the subject of complaints)

Table 2.1 – Number of members complained about

	Total complaints	Total number of councillors complained about	Number of councillors who received more than 1 complaint during 2022
2022	26	11	7

Table 2.2 – Complaints received in 2022 organised according to party Group

Complaints against Green Group members	10
Complaints against Labour Group members	1
Complaints against Conservative Group members	14
Complaints against Independent Group members	1

Complaints made against members - organised according to party Group

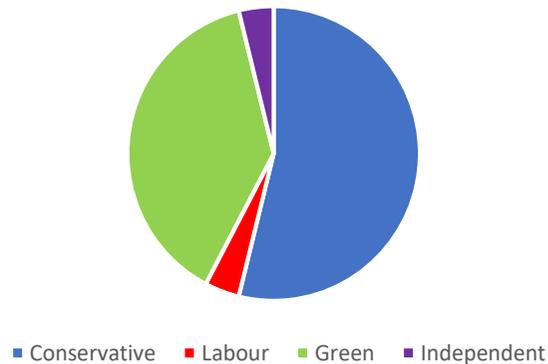


Table 2.3 - Complainant data¹

	Complaints made by members about other members	Complaints made by residents or other stakeholders*
2022	3	23
2021	5	31

¹ NB complaints made about members by officers are normally dealt with under the Officer/ Member Protocol

Section three – Complaint processing and outcomes

Table 3.1 - Complaints determined at preliminary assessment stage

	Total number of complaints determined within relevant year	Number of complaints determined at preliminary assessment stage because alleged conduct did not meet the tests at paras 5.5 a) or b) of the Procedure ²	Number of complaints deemed capable of indicating a breach, but nonetheless resolved informally, pursuant to paras 5.6 to 5.8 of the Procedure .
2022	20	18	2

Table 3.2 - Complaints referred for formal investigation during 2022

	Total complaints referred for formal investigation	Outcome
2022	3	All three complaints have been referred to a Standards Panel for determination by the Monitoring Officer. At time of writing a date for a Panel is being sought
2021	2	Both complaints were resolved in the public interest by the Monitoring Officer, without a Standards Panel being convened.

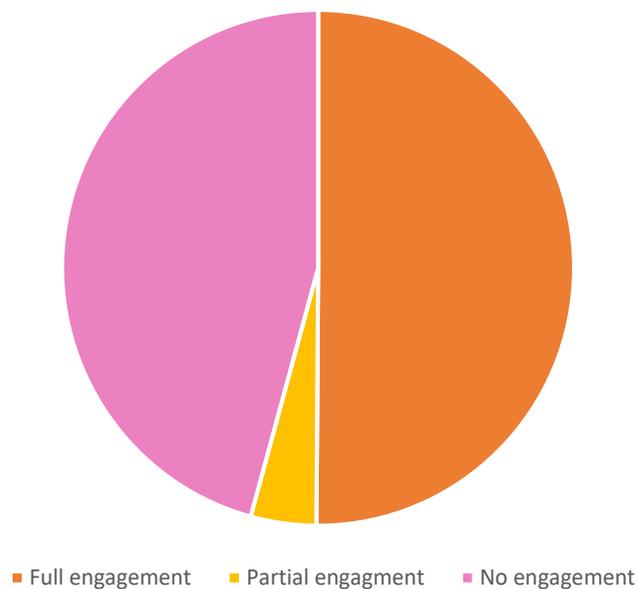
² NB: The tests for deciding not to progress complaints to formal assessment were updated in July 2021, making it difficult to generate comparative data

Table 3.3 – Councillor failures to engage in relation to complaints made in 2022

Number of complaints in which the subject member refused to engage at any point in the process prior to either the complaint's determination, or its referral to a Panel for determination (whichever is appropriate)	11
Number of complaints where members refused to engage at some point in process	1

Note: this data does not take into account two complaints involving an elected member who (while otherwise engaging with the process) has yet to respond to proposals for informal resolution of their complaint.

Overall engagement from councillors who were the subject of a complaint



Section 4 - Complaint topics/ content

Table 4.1 – Complaint topics

Code	Description of type of conduct complained about	2022	2021
A	Complaints about members' discharge of their ward responsibilities (including by constituents)	6	14
B	Complaints about comments or conduct either at council meetings, or at meetings at which members are representing BHCC	8	3
C	Complaints about conduct relating to council business or other members made outside council meetings, including on social media	9	16
D	Complaints about a member's conduct or position on an issue which is not council business or a ward matter, including conduct or a statement reported in the press or made on social media	3	3

Section 5: comparator data showing outsourced costs to the Council

	Formal investigations outsourced	Cost
2021	2	2560.04 (incl VAT) plus 2337.50 (incl VAT)
2022	none	none

Note: The three formal investigations carried out during 2022 were not outsourced, but were carried out internally. For the internally conducted matters, this work is carried out by a number of different internal staff such as the Monitoring Officer, Deputy Monitoring Officer, Senior Lawyer and Legal Support Officer – who carry out other duties alongside this work. Therefore the costs of the internal officer resource spent on investigations is not quantified.

The figures provided for outsourced investigations provide only a very rough ballpark of possible costs where internal investigation is carried out. This is because the issues vary in terms of complexity.

In the two cases where the investigation was outsourced, the above figure does not represent the actual resource involved in progressing the complaints through the process, instructing and supporting the investigation, considering informal resolution and convening and supporting a Panel meeting and its decision-making.

Section 6: Benchmarking against other Councils

Note: Few authorities publish member complaints data in a detailed way. Those which do provide public data appear to attract considerably fewer complaints – and referrals for formal investigation - than BHCC over similar periods.

Council		Published documents
Bristol	The annual report indicated that a total of five complaints was received in during the year, none of which was formally investigated. (One was not about a current member and three were determined by a decision to take no further action, while the fifth was resolved informally).	(Public Pack)Agenda Document for Values and Ethics Sub-Committee, 27/06/2022 14:00 (bristol.gov.uk)
Southampton	No substantive Member complaints requiring investigation by the Monitoring Officer over the preceding year. One preliminary investigation, which was determined not to require a full investigation under the Code.	(Public Pack)Agenda Document for Governance Committee, 14/11/2022 17:00 (southampton.gov.uk) (item 13)
East Sussex	Between 1 April 2021 and 31 March 2022, three complaints were received against Members of East Sussex County Council. Note: They received no complaints at all in either of the two preceding years.	Agenda: Standards Committee, 19/04/2022
West Sussex	Between 1 April 2021 and 31 March 2022, four complaints were received against Members of West County Council. None were progressed beyond initial assessment stage, the main reason being that the behaviour complained of was ‘clearly not connected with the member acting or appearing to act on Council business’.	(Public Pack)Agenda Document for Standards Committee, 27/06/2022 14:15 (moderngov.co.uk)
Surrey	While Surrey’s Audit and Governance Committee has delegated authority for the members’ code of conduct (and receives annual reports on the related topic of Council complaints), no published member complaints data has been identified.	(Public Pack)Agenda Document for Audit and Governance Committee, 13/06/2022 10:00 (surreycc.gov.uk)

Brighton & Hove City Council

Council

Agenda Item 81

Subject: Public Toilets

Date of meeting: 2 February 2023

Report of: Executive Director, Economy, Environment & Culture

Contact Officer: Name: John Peel
Email: john.peel@brighton-hove.gov.uk

Ward(s) affected: All

For general release

Action Required of Council:

To receive the extract of the Environment, Transport & Sustainability Committee for information

Brighton & Hove City Council

Environment, Transport & Sustainability Committee

4.00pm 17 January 2023

Council Chamber, Hove Town Hall

Minutes

Present: Councillor Davis (Joint Chair), Hills (Joint Chair), Lloyd (Deputy Chair), Platts (Joint Opposition Spokesperson), Wilkinson (Joint Opposition Spokesperson), Nemeth (Group Spokesperson), Appich, Fowler, Heley and Simson

Part One

77 PUBLIC TOILETS

- 77.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval for the introduction of charging at some sites in the city to sustain as much public toilet provision as possible and reduce the likelihood of closures. The report also provided the committee with an update on current service provision in light of the decision to close some public toilets across the city in response to an increasing budget pressure in-year, the expected service provision from 1 April 2023 in light of the budget pressures experienced in 2022/23 and the proposed £0.300m saving proposed as part of the 2023/24 draft budget savings plus an update on the Public Toilet Refurbishment Programme. The report is also addressed the Public Toilet Notice of Motion agreed, as amended, at the committee at its meeting on 15 November 2022.
- 77.2 Councillor Nemeth moved a motion to amend the recommendations as shown in bold italics and struckthrough as follows:
- 2.1 That Committee notes the contents of the report.
 - 2.2 That Committee **does not** agrees to the introduction of charging at public toilets **but agrees that insourcing of the contract for cleaning and maintaining public toilets has failed and that this is the principal reason for proposals to close public toilets and to introduce charging** ~~in line with the principles set out in paragraph 3.27~~
 - 2.3 **That Committees agrees that accountability was regularly mentioned as a reason for insourcing (the Leader of the Council specifically said that he preferred to 'bring public toilets back in-house to ensure we have direct management and better accountability') and expresses concern as to where accountability now sits;**

- 77.3 Councillor Simson formally seconded the motion.
- 77.4 Councillors Platts, Lloyd, Appich, Simson, Wilkinson, Davis and Fowler asked questions and contributed to the debate of the report.
- 77.5 The Chair put the Conservative Group motion to the vote that failed.
- 77.6 The Chair put the recommendations as per the report to the vote that failed.

The meeting concluded at 8.50pm

Brighton & Hove City Council

Environment, Transport & Sustainability Committee

Agenda Item 77

Subject: Public Toilets

Date of meeting: 17 January 2022

Report of: Executive Director: Economy, Environment & Culture

Contact Officer: Name: Lynsay Cook
Tel: 07592 103604
Email: Lynsay.cook@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 The Public Toilet Team within City Environment is responsible for 36 public toilets sites across the city. This report provides committee with:

- An update on current service provision in light of the decision to close some public toilets across the city in response to an increasing budget pressure in-year
- The service provision from 1 April 2023 in light of the budget pressures experienced in 2022/23 and the proposed £0.300m saving proposed as part of the 2023/24 draft budget savings
- An update on the Public Toilet Refurbishment Programme.

1.2 The report is also seeking approval for the introduction of charging at some sites in the city to sustain as much public toilet provision as possible and reduce the likelihood of further closures.

1.3 The report also addresses the Public Toilet Notice of Motion agreed, as amended, at this committee on 15 November 2022.

2. Recommendations

2.1 That Committee notes the contents of the report.

2.2 That Committee agrees to the introduction of charging at public toilet sites in line with the principles set out in paragraph 3.27.

3. Context and background information

Public toilets

3.1 Under the Public Health Act 1936, local authorities in England and Wales have a power, not a duty, to provide toilets for use by the public. Therefore, public toilets are not a statutory service.

- 3.2 For 2022/23, the public toilet budget was £0.905m. As reported to Policy & Resources Committee (P&R) on 1 December 2022, the overspend at TBM07 was forecast to be £0.137m. At P&R Committee on 1 December 2022, committee noted the Draft Budget Strategies and first draft of savings for 2023/24 which included a £0.300m saving on the public toilet budget. It is important to note that, in light of the recently announced Local Government Finance Settlement, additional savings are likely to be required, which may include further savings from the public toilet budget. This could mean more toilets have to close or remain closed, until self-financing models can be implemented.
- 3.3 Since 2015/16, the public toilet budget has reduced by £0.351m. In 2016/17, a £0.040m budget saving resulted in the permanent closure of two public toilets, four toilet sites closing for the winter months and a further site having a reduction in attendant time. For 2022/23, £0.100m was added to the public toilet budget to mitigate the increased maintenance costs due to the age and condition of many of the public toilets.

Service provision 2022/23

- 3.4 On 1 July 2021, a decision was made to insource the cleaning and maintenance of public toilets from a private contractor. This was because the contractor delivery model was not as effective as anticipated, partly due to the contractual arrangements and partly due to the age and condition of many of the public toilets. A review of delivery options was completed, and the staff were transferred to Brighton & Hove City Council from 1 February 2022.
- 3.5 Upon the transfer of the staff, some issues were identified within the service relating to health & safety and lone working. Some opening and closing times were changed to mitigate the risk of anti-social behaviour. A detailed service review was undertaken to fully understand how the service operated with a view to making positive change.
- 3.6 The outcomes sought from the service review were to:
- Ensure staff work in a safe environment
 - Review shift patterns and contracts to ensure they comply with the Working Time Directive and that zero-hour contracts are replaced with regular hours contracts
 - Ensure that resources are maximised to guarantee the best use of staff, vehicles and equipment
 - Ensure that toilets are well maintained through a responsive cleaning and maintenance team
 - Provide a clear management structure
 - Provide clear policies and Standard Operating Procedures
 - Provide a service that operates within the budget.
- 3.7 Through the redesign and TBM process over the course of 2022, it was identified that the portfolio of 36 sites could not be opened and maintained within budget and satisfy all the outcomes listed in paragraph 3.6. This was due to:

- Staffing costs rising substantially and unexpectedly since the insourcing was planned due to the harmonisation to Brighton & Hove terms and conditions which saw some staff move from low-cost split shifts to normal working patterns and included the corporate pay increases for the lowest paid staff
 - Increasing utilities costs
 - Increasing reactive maintenance costs, due to the lack of investment in public toilets over several years.
- 3.8 Consequently, and to manage the budget pressure, 11 sites were closed. Four sites were closed pending refurbishment. Four sites are usually closed in the winter months. 17 public toilet sites remain open across the city, and this is an important financial commitment from the council, considering the points in paragraph 3.7.
- 3.9 The decision to close some public toilets was not taken lightly. The decision was made to manage a forecasted £0.400m pressure at TBM06. At that time, the council's financial position was forecasting an overspend of £13 million. Furthermore, high levels of long-term staff absence meant there were insufficient staff to maintain the facilities usually open in the winter to a standard which was safe or acceptable for public use. Employing agency staff to cover them would have increased the overspend and, in any event, the agency was unable to supply any suitable candidates. The closure of toilets was designed to help reduce the overspend and reduce the potential impact on other council services should the overspend grow. The forecasted overspend has reduced to £0.137m at TBM07.

Service provision from 1 April 2023

- 3.10 A significant amount of work has been completed to consider the impact of the proposed £0.300m saving to the public toilet budget. This has been completed alongside the service redesign work which identified the 36 sites could not be opened and maintained within the £0.905m budget. Appendix 1 sets out the results of this work, detailing sites will be open with a £0.605m budget and which ones will be open with a £0.905m budget. If further savings are required, it may be necessary to close all sites until a self-financing model, facilitated through the introduction of charging, has been implemented, or by transferring facilities. Appendix 2 contains a map of the sites across Brighton & Hove.
- 3.11 With a £0.605m budget:
- 16 sites will remain open, with seven of these sites closed in the winter
 - 18 sites will be closed from 1 April 2023
 - Two sites are under further discussion: Royal Pavilion Gardens and The Level.
- 3.12 With a £0.905m budget:
- 24 sites will remain open, with seven of these sites closed in the winter
 - 10 sites will be closed from 1 April 2023
 - Two sites are under further discussion: Royal Pavilion Gardens and The Level.

- 3.13 City Environment is looking at the alternative options to enable public toilets to stay open without council funds. This includes handing over sites to third parties, where it is appropriate to do so. This is a medium-to-long term piece of work and involves working with other council teams and stakeholders. Further work is also required to determine what the options are for the buildings that are unlikely to be handed over, as some may have opportunities as commercial lets. The first stage is to ensure the public toilet service functions within its budget.
- 3.14 Other toilet facilities are available across the city. This includes those available in shopping centres, shops, cafes, bars and restaurants.
- 3.15 Library toilets are available for use by library users. Libraries are open to anyone in the city, provided they abide by the Library Byelaws. There are some people who are banned for specific lengths of time, and so there may be an impact on some members of the street community, if some public toilets are closed. Library toilets do not have space or facilities for the street community to use toilets to wash (other than hands) and this is not allowed.
- 3.16 It is also important to note that as part of the Draft Budget Strategies and first draft of savings for 2023/24, community libraries across the city will be unstaffed for five days a week or more. If this saving is approved, only people with a Libraries Extra card access the libraries and use the toilets. Most members of the street community people will not be Libraries Extra members as there is a requirement for an address and other contact details to use a library that is unstaffed. However, in the city centre, the Jubilee Library would remain fully staffed under current savings proposals.
- 3.17 The facilities available to rough sleepers include:
- First Base on Montpelier Place on weekday mornings
 - Antifreeze on Portland Road
 - Clocktower Sanctuary on North Street for young people.
- 3.18 An Equality Impact Assessment (EIA) to consider the impacts of toilet closures is at Appendix 3. The closure of some public toilet sites will have a disproportionate impact on some protected characteristics, as well as a negative impact on the general public. This will be mitigated, to some extent, by the actions detailed within the EIA. The purpose of closing some sites is to ensure the service can operate within budget and not impact on other council services. Public toilets are a non-statutory service and statutory services are having to be prioritised with the limited council budget available.

Refurbishment Programme

- 3.19 The refurbishment of the Phase 1 sites started on Monday 28 November 2022¹. It is anticipated these sites will open in the spring. If the recommendation to introduce charging is approved by this committee, further building work is required to accommodate the installation of charging

¹ Phase 1 sites are: Daltons, Kings Esplanade, Saltdean Undercliff and Station Road

mechanisms, which will slightly extend the programme of work. It is not known at this stage how long this will take and is dependent on the decision from this committee.

- 3.20 Consideration is now being given to Phase 2 sites in light of the proposed budget reduction from 1 April 2023 and of the potential of some sites to generate income, subject to committee approval.

Royal Pavilion Gardens and The Level toilets

- 3.21 It is acknowledged that the public toilets on Princes Place near the Royal Pavilion Gardens are in a central location and need refurbishment. The Royal Pavilion Garden toilets are unlikely to be refurbished in the next phase of the Refurbishment Programme. There are very high levels of anti-social behaviour and drug use in these toilets which makes it unsafe for members of the public and our staff. These problems also make it much harder to maintain and keep the toilets clean.
- 3.22 The site has been reviewed alongside a [Public Conveniences Problem Reduction Guide](#) produced by Hertfordshire Constabulary. This document highlights the best crime prevention practice in toilet design, such as ensuring the entrance is visible and in areas of high passing footfall. Based on this guide, there are concerns about whether the location of the building is suitable for a public toilet. Discussions have also taken place with the council's Head of Architecture & Design and Community Safety Teams, as well as Sussex Police, to identify options to reduce to the risk to the site, staff and members of the public and the options are limited. The orientation and location of this site needs to be carefully considered prior to any investment, which could end up being wasted if the behavioural issues and vandalism are not resolved first. Therefore, before the money is spent on refurbishing the facility as-is, it is now preferable to close these toilets while works continues to address the behavioural issues and vandalism.
- 3.23 The Level Toilets are currently closed due to significant issues with the building they are housed in, The Velo Café, which require substantial remedial work and investment to bring the building and toilets back into use. Further to this, these toilets are the focus of anti-social behaviour and drug dealing. The location and orientation may also be a factor that needs to be considered. The Level café and toilets are subject to an options appraisal at present and the options will be presented to committee for a decision in Spring/Summer 2023.
- 3.24 Officers are working with stakeholders to develop practical options and a further report will be brought to this committee on the future of these toilets.
- 3.25 There is alternative provision in the area, including Jubilee Library, the museum, Churchill Square and bars and restaurants.

Charging

- 3.26 The council has a significant budget shortfall for 2023/24. To help reduce the shortfall and to supplement the current public toilet budget, it is proposed that charging is introduced at some sites across the city.
- 3.27 The principles of the charging model are:
- Charging is introduced at sites after they have been refurbished. After completion of Phase 1 of the Refurbishment Programme, this will include Daltons, Kings Esplanade, Saltdean Undercliff and Station Road
 - Charging will be reintroduced at Shelter Hall and West Pier Arches, which already have permission to charge
 - The charge will be between 75p at seafront sites
 - The charge will be 50p at other sites
 - Payment will be by card only
 - Access to accessible facilities and Changing Places Toilets will be free of charge to those with a RADAR key
- 3.28 Research is being completed to identify whether pre-paid cards are an option for those without a credit or debit card. This will be incorporated into the principles of the model, if feasible.
- 3.29 Payment will be by card only due to the costs involved in cash collection and the risk of anti-social behaviour if cash was contained in the paddle gates. When charging was previously approved, the cost of cash collection was analysed and meant that charging at some sites was financially unviable, with some sites resulting in a net cost to introduce charging. Payment by card only provides a more financially sustainable and safe model.
- 3.30 It is not proposed to introduce charging at Park Road, Rottingdean, even though the site is currently undergoing a refurbishment. There are two reasons for this: 1) the refurbishment is being funded by Rottingdean Parish Council, not Brighton & Hove City Council, and 2) based on the estimated footfall, it is anticipated the cost of charging will exceed the income generated.
- 3.31 It is complex to determine the income to be generated without current footfall data or knowing what the impact on footfall will be following the introduction of charging. Income will be reviewed following implementation and will inform whether additional sites can be refurbished to introduce further chargeable sites and maintained within budget.
- 3.32 [Published research from Healthmatic](#) details the impact charging can have on footfall:
- For residents, the impact of imposing a charge will depend on the quality of the toilets. In research carried out by local authorities, people say they would pay for toilets if they were clean, tidy and safe.
 - A 20p charge will halve the usage for a quality toilet. At 50p this will rise to a 75% reduction.
 - Tourists are less price sensitive to toilet charging than local people for two reasons:
 - Little knowledge of the alternative provision
 - An acceptance of charging while away from home

- The introduction of charging will therefore have less effect in those areas that are more tourist orientated. In addition, visitors are less price elastic meaning they are less sensitive to the actual level of the charge.
 - The combination of low impact on volumes and low sensitivity to charging in more visitor orientated areas, means that charging will earn revenue without dramatically affecting the number of people seeking and using the toilet.
- 3.33 Most chargeable sites will be on the seafront and therefore, based on the research, less affected by the introduction of a charge, in terms of usage. Some other considerations are that some of the sites proposed for charging will have free sites nearby, both other council-run toilets, plus restaurants, café and bars. This may mean people choose to use the free toilets, rather than the chargeable ones. Conversely, some people may choose not to use public toilets at present due to their current poor condition. Once they are refurbished and more pleasant to use, people may then choose to use them, despite the charge. Together, these all lead to the complexity in forecasting income.
- 3.34 Research has been completed into the costs of introducing charging: both the capital investment required for the installation of paddle gates, and the ongoing revenue costs in terms of maintenance of a pay-by-card system and transaction charges. The average charge is around 3% per transaction. There are also costs associated with SIM cards and the maintenance of the paddle gates. Taking these costs into account, a very rough estimate is that £0.120m could be generated from the introduction of charging at Daltons, Kings Esplanade, Saltdean Undercliff, Shelter Hall, Station Road and West Pier Arches. This is not sufficient to prevent at least 10 toilet sites from closing from 1 April 2023, even if the £0.300m proposed saving is not approved by Budget Council. It is likely that income generated will be used to support the maintenance and staffing of remaining toilet sites in future years.
- 3.35 This income has not been modelled into the service provision from 1 April 2023. It will not be possible to generate any income until later in the year due to the time needed to make the necessary changes at each site to install paddle gates and the procurement of a pay-by-card provider. Furthermore, because of the complexities of forecasting income, it is not fiscally prudent to rely on this income to fund the service yet. Approval is being sought now on the introduction of charging to allow for the infrastructure to be put in place and for procurement to start, rather than at a later date.
- 3.36 Permission was previously given in October 2018 to introduce charging at some public toilet sites. This was for 30p and was to fund the Refurbishment Programme. This is now being funded corporately so there is no need to cover these costs.
- 3.37 An EIA to consider the impacts of charging at public toilets is at Appendix 4. The introduction of charging at some public toilet sites will have a disproportionate impact on some protected characteristics, as well as a

negative impact on the general public. This will be mitigated, to some extent, by the actions detailed in the EIA. The purpose of introducing charging is to sustain as much public toilet provision as possible and reduce the likelihood of further closures, which would have a further negative impact on members of the public.

Notice of Motion

- 3.38 A Notice of Motion concerning public toilets was agreed, as amended, by this committee on 15 November 2022.
- 3.39 Point 1 of the Notice of Motion *notes concerns from across the community about the sudden closure of 17 public toilet sites in the city.*
- 3.40 As mentioned above, City Environment is responsible for 36 sites across the city. This does not include toilets in libraries, leisure centres or museums. 11 sites were closed to manage the overspend. Four sites were closed for refurbishment. Four sites are usually closed in the winter months. 17 sites remain open.
- 3.41 Point 2 of the Notice of Motion *expresses concern that a report was not brought to committee before decisions were made about closures with regard to toilets not closed temporarily for refurbishments.*
- 3.42 The budget overspend was identified at TBM06. There was not time available to bring a report to committee to make a decision on closing sites, without allowing the overspend to increase.
- 3.43 Point 3 of the Notice of Motion *recognises that genuine consultation with ward councillors, local residents associations and stakeholders is required before any closures are implemented.*
- 3.44 Where there is a long lead in time for proposed changes, consultation can be planned, and feedback considered before any decisions are made. However, in an urgent situation, where there is not sufficient budget to provide a non-statutory service, in-depth consultation is not possible because of time constraints and available resources.
- 3.45 Point 4 of the Notice of Motion *restates the request at Full Council in July for alternative provision to be made available whilst refurbishment work is undertaken in locations that continue to be heavily used during the winter months, such as Hove Promenade, and requests officers consider interim measures including, but not limited to, the provision of portaloos.*
- 3.46 A budget would need to be allocated to fund alternative provision, including portaloos. There is no identified budget for this purpose. If the toilet refurbishment budget is used for this purpose, less funding will be available to refurbish other toilets across the city. The refurbishments have been programmed for the lower footfall months to avoid their busiest usage times.

- 3.47 Point 5 of the Notice of Motion *requests officers engage with local businesses to see if their toilets can be made available for public use.*
- 3.48 Research has been completed into Community Toilet Schemes (CTS) operated by other local authorities. This is detailed in Appendix 5. Based on the research, CTS take various forms and vary in size. All have at least one member of staff facilitating the scheme and the majority pay a fee to each business partaking in the scheme. This ranges from £300 to £1560 per annum.
- 3.49 If the council wanted to introduce a CTS, a budget would need to be allocated. This would be to fund a dedicated officer to administer the scheme and pay businesses to participate. At present, there is no identified budget for this purpose. An alternative is for the CTS to be funded from the public toilet budget, which would reduce the number of sites that could be opened. Therefore, at this time, it is not recommended at a CTS is introduced. As an alternative, if a business wishes to open their toilets to non-customers, they can notify the council and the details can be added to the public toilet pages on council website.
- 3.50 Point 5 also *requests officers to ensure adequate signposting to these alternative facilities is provided.*
- 3.51 As detailed in paragraph 3.49, a CTS is not recommended at this stage due to the costs involved. Where toilets are closed from 1 April 2023, signage will be placed on the toilets notifying the public of where the nearest alternatives are.
- 3.52 Point 6 *calls for an urgent report that considers all options to re-open public toilets at the earliest opportunity.*
- 3.53 With the budget available and the expenditure needed, it is not possible to reopen all public toilets. Appendix 1 sets out the sites to be open with a £0.605m budget and which ones will be open with a £0.905m budget. Work is being completed to consider the alternative options to enable more public toilets to stay open without council funds. This includes handing over sites to third parties, where it is appropriate to do so. This is a medium-to-long term piece of work and involves working with other council teams and stakeholders.

Toilet provision across the UK

- 3.54 A July 2022 report from the [Association for Public Service Excellence](#) (APSE) presents the results of a survey conducted with APSE member councils on public toilet provision, income generation and other public toilet matters. It provides a useful insight into public toilet provision by other local authorities and some of the changes they have had to make in recent years.
- 3.55 Some of the pertinent points to note are:
- 58.03% of the respondents stated the provision provided by the council has decreased or significantly decreased since 2012.

- 47.06% report that they had ceased providing the provision more than three years ago, with a further 29.41% advising that it was more than two years ago.
- A quarter of respondent's report that lack of resources is one of the main reasons for not providing the facilities.
- 40.91% of respondents stated budgetary pressures were the driver for a review of public toilet provision and 30.30% cite the cost of providing the provision as a driver to undertake a review.
- 70.00% of respondents stated that vandalism and anti-social behaviour is the greatest challenge in providing public toilets, closely followed by budgetary pressures with 67.50%.
- 59.46% reported that they did not charge, 31.08% charge for some of the provision and only 9.46% advise that a charge is made for all or the majority of their toilets.
- The amount charged by authorities ranged from 10p or less up to £1. The most common amount respondents stated that they charged for the provision was 20p with 34.21% reporting this was the case.
- 46.15% report that the charge is levied to cover the cost of running the provision. In the comments associated with the question, respondents advised they made a charge to deter vandalism and antisocial behaviour.

4. Analysis and consideration of alternative options

- 4.1 This report primarily provides an update on activities within the public toilet service.
- 4.2 There are limited options available given the two budget scenarios and the costs of providing public toilets. A significant amount of work has gone into determining which public toilets remain open. This was driven by several factors, including: the opportunity to generate income (subject to committee approval), the refurbishment status, the availability of other facilities in the vicinity and likely users. Travel time between sites and the time required for cleaning was also considered.
- 4.3 Public toilets are not a statutory service. It is important to note that, in light of the recently announced Local Government Finance Settlement, additional savings are likely to be required, which may include further savings from the public toilet budget.
- 4.4 To open all toilets, a minimum of £0.400m would need to be added to the 2022/23 budget. More may be required depending on the future cost of utilities.
- 4.5 A decision is sought on the introduction of charging at some public toilet sites. An alternative is to not introduce charging which will place further pressure on the core public toilet budget, and the council's budget as a whole.

5. Community engagement and consultation

- 5.1 Feedback has been received following the October 2022 closures via the public toilet mailbox, which is maintained as one means of stakeholders' providing their views on provision. The sites to be opened from 1 April 2023 were considered alongside this feedback, as well as the points highlighted in 4.2. That feedback was also included in the EIAs in Appendix 3 and Appendix 4. These were completed to ensure the council applies its discretion fairly and in accordance with the Public Sector Equality Duty. The EIAs provide reassurance regarding the consideration given to the potential impact of the proposals on protected and vulnerable groups.

6. Conclusion

- 6.1 This report sets out the current service provision, service provision from 1 April 2023 in light of the budget pressures experienced in 2022/23 and the proposed 2023/24 budget saving and an update on the Public Toilet Refurbishment Programme. The report also addresses the Public Toilet Notice of Motion agreed, as amended, at this committee on 15 November 2022. The report is also seeking approval for the introduction of charging at some sites in the city.
- 6.2 Public toilets are a non-statutory service and therefore the council is under no obligation to provide them. The budget challenges mean difficult decisions need to be taken as to what sites remain open with the budget available. Appendix 1 details which sites will remain open under the two potential budget scenarios, and the rationale for choosing which sites remain open and which ones will, sadly, have to close. For the sites that will close, officers will continue to look at what the alternative options are to enable more public toilets to stay open without council funds. This includes handing over sites to third parties, where it is appropriate to do so.

7. Financial implications

- 7.1 There are no direct financial implications from recommendation 2.1 as the report is for noting.
- 7.2 Agreeing to the recommendation 2.2 of the introduction of charging at public toilet sites, in line with the principles set out in section 3.27, supports the draft budget savings proposals reported to P&R Committee on 1 December 2022. The savings proposal includes keeping toilets open where possible with introduction of charging or handover to a third party to mitigate costs; or close permanently. The savings will be achieved through reductions in maintenance, energy and consumable costs, potentially staffing reductions and with income generation from charging users. Without the option for income generation to support this savings proposal, further closures may be required to achieve the savings proposal and to ensure the service operates within budget.
- 7.3 Costs associated with the installation of pay barriers as part of toilets refurbishment works will be contained within existing Public Toilet Refurbishment Programme Capital scheme but will impact on the number of sites refurbished overall. Any spend above the agreed programme will

require additional funding potentially through charging once widely established in later years of the programme.

Name of finance officer consulted: John Lack Date consulted: 22/12/2022

8. Legal implications

- 8.1 The Council is not under a legal duty to provide public conveniences. It does however have the discretionary power to provide them pursuant to section 87 of the Public Health Act 1936 (as amended). These proposals include the proposal to apply its discretion 'to charge such fees for the use of any such conveniences as they think fit' in a limited way.
- 8.2 Notwithstanding the absence of an express statutory duty to carry out a formal consultation process on the proposals outlined here, the Council is nonetheless required to exercise its discretion fairly and in accordance with the Public Sector Equalities Duty (Section 149 of the Equality Act 2010). The proposals outlined here reflect the investment made in considering the potential impact of changes to discretionary facilities provision on vulnerable people and the due regard given to its impact on protected groups. The detailed Equalities Impact Assessment attached at Appendix 3 reflects the best available information regarding the possible impact of the proposals, as well as the steps available to mitigate any adverse impact. It evidences the attention given to ensuring that the Council's overriding duty to act fairly in the exercise of discretionary functions has been discharged.

Name of lawyer consulted: Victoria Simpson Date consulted: 04/01/2023

9. Equalities implications

- 9.1 The council has no statutory obligation to provide public toilets and Appendix 1 of this paper details which sites will remain open in the two budget scenarios. This is still a significant number of public toilets across the city and includes sites with accessible facilities. It is considered that a reduction in the number of public toilets across the city and/or the introduction of charging may result in the following implications:
- A negative impact on equalities and accessibility in the city
 - A negative impact on those with health issues being able to leave home and go out in the community
- 9.2 An Equalities Impact Assessment to understand the impacts of closures is at Appendix 3 and charging at Appendix 4.

10. Sustainability implications

- 10.1 Closing toilets will reduce energy consumption and costs, as well as the use of consumables.
- 10.2 The Public Toilet Refurbishment Programme is introducing motion sensor lighting, taps and hand driers, reducing electricity and water consumption.

11. Other Implications

Social Value and procurement implications

- 11.1 Procurement of paddle gates and a pay-by-card provider are required and will follow appropriate procurement policies and procedures.

Crime & disorder implications

- 11.2 Anecdotal evidence has indicated that the introduction of charging for toilet usage may lead to lower levels of anti-social behaviour, resulting in less vandalism and drug taking in toilets. So far this year, over 900 pieces of drug and anti-social behaviour paraphernalia have been removed from public toilets, including needles, condoms, tin foil and razors. This is only the paraphernalia that is reported. It is likely that much goes unreported and some paraphernalia goes down the toilet, in the sanitary bins and elsewhere. Therefore, the actual usage of such items is probably much higher.
- 11.3 There could be an increase in public defecation and urination through the introduction of charging.

Public health implications

- 11.4 It is recognised that toilet closures and toilet charges will have public health implications, particularly with regards to physical activities and sports. Unfortunately, with the budget available, some of the sites in parks and open spaces will have to close. The work to look at the alternative options to enable public toilets to stay open without council funds, will, hopefully, result in some of these facilities being reopened and sustained.

Supporting Documentation

Appendices

1. Public toilet provision from 1 April 2023
2. Map of public toilets by ward
3. Equality Impact Assessment – public toilet closures
4. Equality Impact Assessment – public toilet charging
5. Community Toilet Scheme research

Background documents

1. [Public Toilet Cleaning and Maintenance Contract](#) presented to Policy & Resources Committee on 1 July 2021 (item 19)
2. Public Conveniences Problem Reduction Guide available at <http://www.btaloos.co.uk/wp-content/uploads/2014/01/PubliclyAvailableToiletsProblemReductionGuide.pdf>
3. [Public Toilets – Notice of Motion](#) presented to Environment, Transport & Sustainability Committee on 15 November 2022

4. Charging and Access Control to Public Toilets available at https://www.healthmatic.com/wp-content/uploads/2019/06/Healthmatic_Charging_and_Access.pdf
5. APSE Local Authority Public Conveniences Survey 2022 available at <https://www.apse.org.uk/index.cfm/apse/members-area/briefings/2022/22-25-local-authority-public-conveniences/>

Appendix 1: public toilet provision from 1 April 2023

This appendix sets out the public toilet provision from 1 April 2023 using two scenarios:

- The service operating with a £0.605m budget
- The service operating with a £0.905m budget

Points to note:

- A different staffing model is required for the summer, compared to the winter due to higher usage of public toilets. The summer staffing model increases costs considerably.
- The modelling has incorporated the running costs of each site (utilities, maintenance, consumables, sanitaryware collections), staffing, vehicles and provision of agency staff to provide cover for annual leave and sickness.

Key

						Winter: 1 October to Good Friday Summer: Good Friday to 30 September
Changing Places Toilet	Accessible toilet	Women's toilet	Men's toilet	Gender neutral toilet	Baby change facilities	

£0.605m budget: sites to be open from 1 April 2023

Toilet site	Facilities						Number of cubicles	Winter	Summer	Comments
										
Daltons Brighton seafront BN2 1TW	✓	✓	✓	✓		✓	1: women's Changing Places Toilet 1: women's accessible toilet 11: women's cubicles 1: women's family room 1: men's Changing Places Toilet 1: men's accessible toilet 6: men's cubicles + 5 single urinals 1: men's family room (post-refurbishment)	Closed	Open	<ul style="list-style-type: none"> • Currently being refurbished • Opportunity for income generation, subject to committee approval • Central seafront location • Range of facilities available • Usually closed in winter due to location on lower promenade and businesses around it being closed

£0.605m budget: sites to be open from 1 April 2023

Toilet site	Facilities						Number of cubicles	Winter	Summer	Comments
										
Goldstone Villas Hove BN3 3RU		✓	✓	✓		✓	1: gender neutral accessible toilet 4: women's cubicles 3: men's cubicles + urinal trough	Closed	Open	<ul style="list-style-type: none"> Close to popular shopping area in central Hove Unable to open in winter due to insufficient budget
Hove Cemetery North / South BN3 7HB		✓					1: gender neutral accessible toilet	Open	Open	<ul style="list-style-type: none"> No other facilities nearby Required for funeral attendees
Hove Lagoon Hove seafront BN3 4LX		✓	✓	✓		✓	1: gender neutral accessible toilet 3: women's cubicles 2: men's cubicles + urinal trough	Open	Open	<ul style="list-style-type: none"> Popular high footfall, seafront location Multiple facilities in high use in the area
Hove Park Hove BN3 6AD		✓	✓	✓		✓	1: gender neutral accessible toilet 2: women's cubicles 2: men's cubicles + urinal trough	Closed	Open	<ul style="list-style-type: none"> Unable to open in winter due to insufficient budget Risk in winter as park used for tennis, football and Park Run and no other facilities available
Kings Esplanade Hove seafront BN3 4GP		✓	✓	✓		✓	1: gender neutral accessible toilet 5: women's cubicles 1: women's family room 1: men's cubicle (which is a family room) + 3 single urinals (post-refurbishment)	Open	Open	<ul style="list-style-type: none"> Currently being refurbished Opportunity for income generation, subject to committee approval Central seafront location Range of facilities available
Kings Road Playpark Brighton seafront BN1 2LN		✓				✓	2: gender neutral accessible toilets 2: gender neutral toilets 4: gender neutral baby changing facilities	Closed	Open	<ul style="list-style-type: none"> Unable to open in winter due to insufficient budget Risk in winter as popular playground
Lawn Memorial Cemetery Brighton BN2 6DA		✓				✓	1: gender neutral accessible toilet	Open	Open	<ul style="list-style-type: none"> No other facilities nearby Busy cemetery Required for funeral attendees
Park Road Rottingdean		✓				✓	1: gender neutral accessible toilet 2: gender neutral toilets	Open	Open	<ul style="list-style-type: none"> Currently being refurbished, funded by Parish Council

£0.605m budget: sites to be open from 1 April 2023

Toilet site	Facilities						Number of cubicles	Winter	Summer	Comments
										
BN2 7HL							(post-refurbishment)			<ul style="list-style-type: none"> Close to popular shopping area in Rottingdean
Peter Pans Play Area Brighton seafront BN2 1PS		✓	✓	✓		✓	1: gender neutral accessible toilet 3: women's cubicles 3: men's cubicles 1: gender neutral baby changing facility	Closed	Open	<ul style="list-style-type: none"> Unable to open in winter due to insufficient budget Risk in winter as popular playground
Preston Park Rotunda Brighton BN1 6HU		✓	✓	✓		✓	1: gender neutral accessible toilet 2: women's cubicles 1: men's cubicle + 2 single urinals	Closed	Open	<ul style="list-style-type: none"> Popular park with many sports users Unable to open in winter due to insufficient budget Risk in winter as park used for tennis and Park Run and no other facilities available Football clubs can book changing rooms which have toilets
Saltdean Undercliff Seafront BN2 7BP		✓	✓	✓		✓	1: gender neutral accessible toilet 7: women's cubicles 1: women's family room 3: men's cubicles + 6 single urinals 1: men's family room (post-refurbishment)	Open	Open	<ul style="list-style-type: none"> Currently being refurbished High Footfall area Opportunity for income generation, subject to committee approval
Shelter Hall Brighton seafront BN1 1NB	✓	✓	✓	✓		✓	1: gender neutral Changing Places Toilet 1: gender neutral accessible toilet 11: women's cubicles 1: women's family room 6: men's cubicles + 6 single urinals 1: men's family room	Open	Open	<ul style="list-style-type: none"> Relatively new facility Opportunity for income generation, subject to committee approval Central seafront location with high footfall Range of facilities available

£0.605m budget: sites to be open from 1 April 2023

Toilet site	Facilities						Number of cubicles	Winter	Summer	Comments
										
Station Road Portslade BN41 1GA		✓	✓	✓		✓	1: gender neutral accessible toilet 4: women's cubicles; 1 with baby changing facilities 2: men's cubicles (1 with baby changing facilities) + 2 single urinals (post-refurbishment)	Open	Open	<ul style="list-style-type: none"> Currently being refurbished Opportunity for income generation, subject to committee approval Close to popular shopping area in Portslade
The Colonnade Brighton seafront BN2 1EN	✓	✓	✓	✓		✓	1: gender neutral Changing Places Toilet 1: women's accessible toilet 7: women's cubicles 1: men's accessible toilet 4: men's cubicles + 4 single urinals	Open	Open	<ul style="list-style-type: none"> Central seafront location Range of facilities available
West Pier Arches Brighton seafront BN1 2JF		✓	✓	✓		✓	1: gender neutral accessible toilet 4: women's cubicles 3: men's cubicles + 4 single urinals	Closed	Open	<ul style="list-style-type: none"> Relatively new facility Opportunity for income generation, subject to committee approval Range of facilities available Closed in winter as alternative facilities nearby

132

£0.605m budget: sites to be closed from 1 April 2023

Toilet site	Facilities						Number of cubicles	Comments regarding closure
								
Black Rock Brighton seafront BN2 1EN		✓	✓	✓			1: gender neutral accessible toilet 1: women's cubicle 1: men's cubicle + 2 single urinals	<ul style="list-style-type: none"> Unable to open due to insufficient budget Usually closed in winter
Blakers Park Brighton BN1 6FF		✓			✓	✓	1: gender neutral accessible toilet 1: gender neutral toilet	<ul style="list-style-type: none"> Unable to open due to insufficient budget Users likely to be local residents Risk as park used for tennis and no other facilities available

£0.605m budget: sites to be closed from 1 April 2023

Toilet site	Facilities						Number of cubicles	Comments regarding closure
								
Easthill Park Portslade BN41 2GA		✓	✓	✓		✓	1: gender neutral accessible toilet 1: women's cubicle 1: men's cubicle + 2 single urinals	<ul style="list-style-type: none"> • Unable to open due to insufficient budget • Users likely to be local residents • Risk as community café does not have own facilities
Greenleas Hove BN3 8AD			✓	✓			1: women's cubicle 1: men's cubicle + 3 single urinals	<ul style="list-style-type: none"> • Unable to open due to insufficient budget • Users likely to be local residents • Football clubs can book changing rooms which have toilets
Hollingbury Park Brighton BN1 7HS		✓				✓	1: gender neutral accessible toilet	<ul style="list-style-type: none"> • Unable to open due to insufficient budget • Users likely to be local residents • Bowls club have own toilet • Risk as park used for tennis and no other facilities available
King Alfred Hove seafront BN3 2BT		✓	✓	✓		✓	1: gender neutral accessible toilet 3: women's cubicles 2: men's cubicles + urinal trough	<ul style="list-style-type: none"> • Unable to open due to insufficient budget • Refurbished facility available at Kings Esplanade, with additional capacity, is a seven-minute walk
Norton Road Hove BN3 3BE		✓	✓	✓		✓	1: gender neutral accessible toilet 4: women's cubicles 4: men's cubicles + 4 single urinals	<ul style="list-style-type: none"> • Unable to open due to insufficient budget • Only open on weekends and bank holidays • Has been closed since April 2022 due to significant repairs being required. No complaints have been received
Ovingdean Undercliff Seafront BN2 5UF		✓	✓	✓		✓	1: gender neutral accessible toilet 4: women's cubicles 4: men's cubicles + urinal trough	<ul style="list-style-type: none"> • Unable to open due to insufficient budget
Preston Park Chalet Brighton BN1 6HN		✓	✓	✓		✓	1: gender neutral accessible toilet 2: women's cubicles 1: men's cubicle + 4 single urinals	<ul style="list-style-type: none"> • Unable to open due to insufficient budget • Preston Park Rotunda will be open in the summer
Queens Park Play Area Brighton BN2 0PB		✓				✓	2: gender neutral accessible toilets	<ul style="list-style-type: none"> • Unable to open due to insufficient budget • Users likely to be local residents • Risk as well used and popular park

£0.605m budget: sites to be closed from 1 April 2023

Toilet site	Facilities						Number of cubicles	Comments regarding closure
								
Rottingdean Recreation Ground BN2 7EG		✓					2: gender neutral accessible toilets	<ul style="list-style-type: none"> Unable to open due to insufficient budget Alternative facilities available at the newly refurbished Park Road, Rottingdean Risk as used for football and no other facilities available
Rottingdean Undercliff Seafront BN2 7HR		✓			✓	✓	1: gender neutral accessible toilet 3: gender neutral toilets	<ul style="list-style-type: none"> Unable to open due to insufficient budget Alternative facilities available at the newly refurbished Park Road, Rottingdean
Saltdean Oval Brighton BN2 8SJ			✓	✓		✓	1: women's cubicle 1: men's cubicle + 1 single urinal	<ul style="list-style-type: none"> Unable to open due to insufficient budget Alternative facilities available at the newly refurbished Saltdean Undercliff Tennis and bowls have access to toilet in the pavilion
St Ann's Well Gardens Hove BN3 1PA		✓	✓	✓		✓	1: gender neutral accessible toilet 3: women's cubicles 2: men's cubicle + 3 single urinals	<ul style="list-style-type: none"> Unable to open due to insufficient budget Risk as well used and popular park
Stanmer Village Brighton BN1 9PZ		✓	✓	✓		✓	1: gender neutral accessible toilet 2: women's cubicles 1: men's cubicle + 2 single urinals	<ul style="list-style-type: none"> Unable to open due to insufficient budget Other toilet facilities available nearby
Vale Park Portslade BN41 1AF			✓	✓		✓	2: women's cubicles 1: men's cubicle + urinal trough	<ul style="list-style-type: none"> Unable to open due to insufficient budget Users likely to be local residents Alternative facility nearby at the newly refurbished Station Road
Western Esplanade Hove seafront BN3 4GP		✓	✓	✓		✓	1: gender neutral accessible toilet 5: women's cubicles 3: men's cubicles + 2 urinal troughs	<ul style="list-style-type: none"> Unable to open due to insufficient budget Alternative facilities available at the newly refurbished Kings Esplanade and at Hove Lagoon
Wild Park Brighton BN1 9HT		✓				✓	1: gender neutral accessible toilet	<ul style="list-style-type: none"> Unable to open due to insufficient budget Risk as used for football and no other facilities available

134

£0.905m budget: sites to be open from 1 April 2023

Toilet site	Facilities						Number of cubicles	Winter	Summer	Comments
										
Black Rock Brighton seafront BN2 1EN		✓	✓	✓			1: gender neutral accessible toilet 1: women's cubicle 1: men's cubicle + 2 single urinals	Closed	Open	<ul style="list-style-type: none"> Usually closed in the winter
Blakers Park Brighton BN1 6FF		✓				✓	1: gender neutral accessible toilet 1: gender neutral cubicle	Closed	Open	<ul style="list-style-type: none"> Unable to open in the winter due to insufficient budget Users likely to be local residents Risk as park used for tennis and no other facilities available
135 Daltons Brighton seafront BN2 1TW	✓	✓	✓	✓		✓	1: women's Changing Places Toilet 1: women's accessible toilet 11: women's cubicles 1: women's family room 1: men's Changing Places Toilet 1: men's accessible toilet 6: men's cubicles + 5 single urinals 1: men's family room (post-refurbishment)	Closed	Open	<ul style="list-style-type: none"> Currently being refurbished Opportunity for income generation, subject to committee approval Central seafront location Range of facilities available Usually closed in winter due to location on lower promenade and businesses around it being closed
Goldstone Villas Hove BN3 3RU		✓	✓	✓		✓	1: gender neutral accessible toilet 4: women's cubicles 3: men's cubicles + urinal trough	Open	Open	<ul style="list-style-type: none"> Close to popular shopping area in central Hove
Hove Cemetery North / South BN3 7HB		✓					1: gender neutral accessible toilet	Open	Open	<ul style="list-style-type: none"> No other facilities nearby Required for funeral attendees
Hove Lagoon Hove seafront BN3 4LX		✓	✓	✓		✓	1: gender neutral accessible toilet 3: women's cubicles 2: men's cubicles + urinal trough	Open	Open	<ul style="list-style-type: none"> Popular high footfall, seafront location Multiple facilities in high use in the area

£0.905m budget: sites to be open from 1 April 2023

Toilet site	Facilities						Number of cubicles	Winter	Summer	Comments
										
Hove Park Hove BN3 6AD		✓	✓	✓		✓	1: gender neutral accessible toilet 2: women's cubicles 2: men's cubicles + urinal trough	Open	Open	<ul style="list-style-type: none"> Popular park with many sports users
Kings Esplanade Hove seafront BN3 4GP		✓	✓	✓		✓	1: gender neutral accessible toilet 5: women's cubicles 1: women's family room 1: men's cubicle (which is a family room) + 3 single urinals (post-refurbishment)	Open	Open	<ul style="list-style-type: none"> Currently being refurbished Opportunity for income generation, subject to committee approval Central seafront location Range of facilities available
Kings Road Playpark Brighton seafront BN1 2LN		✓			✓	✓	2: gender neutral accessible toilets 2: gender neutral toilets 4: gender neutral baby changing facilities	Open	Open	<ul style="list-style-type: none"> For playground users
Lawn Memorial Cemetery Brighton BN2 6DA		✓				✓	1: gender neutral accessible toilet	Open	Open	<ul style="list-style-type: none"> No other facilities nearby Busy cemetery Required for funeral attendees
Ovingdean Undercliff Seafront BN2 5UF		✓	✓	✓		✓	1: gender neutral accessible toilet 4: women's cubicles 4: men's cubicles + urinal trough	Closed	Open	<ul style="list-style-type: none"> Unable to open in winter due to insufficient budget
Park Road Rottingdean BN2 7HL		✓			✓	✓	1: gender neutral accessible toilet 2: gender neutral toilets (post-refurbishment)	Open	Open	<ul style="list-style-type: none"> Currently being refurbished, funded by the Parish Council Close to popular shopping area in Rottingdean
Peter Pans Play Area Brighton seafront		✓	✓	✓		✓	1: gender neutral accessible toilet 3: women's cubicles 3: men's cubicles	Open	Open	<ul style="list-style-type: none"> For playground users

£0.905m budget: sites to be open from 1 April 2023

Toilet site	Facilities						Number of cubicles	Winter	Summer	Comments
										
BN2 1PS							1: gender neutral baby changing facility			
Preston Park Rotunda Brighton BN1 6HU		✓	✓	✓		✓	1: gender neutral accessible toilet 2: women's cubicles 1: men's cubicle + 2 single urinals	Open	Open	<ul style="list-style-type: none"> Popular park with many sports users
Queens Park Play Area Brighton BN2 0PB		✓				✓	2: gender neutral accessible toilets	Open	Open	<ul style="list-style-type: none"> Users likely to be local residents Well used and popular park
Rottingdean Recreation Ground BN2 7EG		✓					2: gender neutral accessible toilets	Closed	Open	<ul style="list-style-type: none"> Alternative facilities available at the newly refurbished Park Road Unable to open in winter due to insufficient budget Risk in winter as used for football and no other facilities available
Rottingdean Undercliff Seafront BN2 7HR		✓			✓	✓	1: gender neutral accessible toilet 3: gender neutral toilets	Closed	Open	<ul style="list-style-type: none"> Unable to open in winter due to insufficient budget
Saltdean Undercliff Seafront BN2 7BP		✓	✓	✓		✓	1: gender neutral accessible toilet 7: women's cubicles 1: women's family room 3: men's cubicles + 6 single urinals 1: men's family room (post-refurbishment)	Open	Open	<ul style="list-style-type: none"> Currently being refurbished Opportunity for income generation, subject to committee approval

137

£0.905m budget: sites to be open from 1 April 2023

Toilet site	Facilities						Number of cubicles	Winter	Summer	Comments
										
Shelter Hall Brighton seafront BN1 1NB	✓	✓	✓	✓		✓	1: gender neutral Changing Places Toilet 1: gender neutral accessible toilet 11: women's cubicles 6: men's cubicles + 6 single urinals	Open	Open	<ul style="list-style-type: none"> Relatively new facility Opportunity for income generation, subject to committee approval Central seafront location Range of facilities available
St Ann's Well Gardens Hove BN3 1PA		✓	✓	✓		✓	1: gender neutral accessible toilet 3: women's cubicles 2: men's cubicles + 3 single urinals	Open	Open	<ul style="list-style-type: none"> Well used and popular park
Station Road Portslade BN41 1GA		✓	✓	✓		✓	1: gender neutral accessible toilet 4: women's cubicles; 1 with baby changing facilities 2: men's cubicles (1 with baby changing facilities) + 2 single urinals (post-refurbishment)	Open	Open	<ul style="list-style-type: none"> Currently being refurbished Opportunity for income generation, subject to committee approval Close to popular shopping area in Portslade
The Colonnade Brighton seafront BN2 1EN	✓	✓	✓	✓		✓	1: gender neutral Changing Places Toilet 1: women's accessible toilet 7: women's cubicles 1: men's accessible toilet 4: men's cubicles + 4 single urinals	Open	Open	<ul style="list-style-type: none"> Central seafront location Range of facilities available
Western Esplanade Hove seafront BN3 4GP		✓	✓	✓		✓	1: gender neutral accessible toilet 5: women's cubicles 3: men's cubicles + 2 urinal troughs	Open	Open	<ul style="list-style-type: none"> High footfall seafront location
West Pier Arches Brighton seafront		✓	✓	✓		✓	1: gender neutral accessible toilet 4: women's cubicles	Closed	Open	<ul style="list-style-type: none"> Relatively new facility

£0.905m budget: sites to be open from 1 April 2023										
Toilet site	Facilities						Number of cubicles	Winter	Summer	Comments
										
BN1 2JF							3: men's cubicles + 4 single urinals			<ul style="list-style-type: none"> Opportunity for income generation, subject to committee approval Range of facilities available Closed in winter as alternative facilities nearby

£0.905m budget: sites to be closed from 1 April 2023										
Toilet site	Facilities						Number of cubicles	Comments on closure		
										
Easthill Park Portslade BN41 2GA		✓	✓	✓		✓	1: gender neutral accessible toilet 1: women's cubicle 1: men's cubicle + 2 single urinals	<ul style="list-style-type: none"> Unable to open due to insufficient budget Users likely to be local residents Risk as community café does not have own facilities 		
Greenleas Hove BN3 8AD			✓	✓			1: women's cubicle 1: men's cubicle + 3 single urinals	<ul style="list-style-type: none"> Unable to open due to insufficient budget Users likely to be local residents Football clubs can book changing rooms which have toilets 		
Hollingbury Park Brighton BN1 7HS		✓				✓	1: gender neutral accessible toilet	<ul style="list-style-type: none"> Unable to open due to insufficient budget Users likely to be local residents Bowls club have own toilet Risk as park used for tennis and no other facilities available 		
King Alfred Hove seafront BN3 2BT		✓	✓	✓		✓	1: gender neutral accessible toilet 3: women's cubicles 2: men's cubicles + urinal trough	<ul style="list-style-type: none"> Unable to open due to insufficient budget Refurbished facility available at Kings Esplanade, with additional capacity, is a seven-minute walk 		
Norton Road Hove BN3 3BE		✓	✓	✓		✓	1: gender neutral accessible toilet 4: women's cubicles 4: men's cubicles + 4 single urinals	<ul style="list-style-type: none"> Unable to open due to insufficient budget Only open on weekends and bank holidays Has been closed since April 2022 due to significant repairs being required. No complaints have been received 		

£0.905m budget: sites to be closed from 1 April 2023

Toilet site	Facilities						Number of cubicles	Comments on closure
								
Preston Park Chalet Brighton BN1 6HN		✓	✓	✓		✓	1: gender neutral accessible toilet 2: women's cubicles 1: men's cubicle + 4 single urinals	<ul style="list-style-type: none"> Unable to open due to insufficient budget Preston Park Rotunda will be open in the summer
Saltdean Oval Brighton BN2 8SJ			✓	✓			1: women's cubicle 1: men's cubicle + 1 single urinal	<ul style="list-style-type: none"> Unable to open due to insufficient budget Alternative facilities available at the newly refurbished Saltdean Undercliff
Stanmer Village Brighton BN1 9PZ		✓	✓	✓		✓	1: gender neutral accessible toilet 2: women's cubicles 1: men's cubicle + 2 single urinals	<ul style="list-style-type: none"> Unable to open due to insufficient budget Other toilet facilities available nearby
Vale Park Portslade BN41 1AF			✓	✓		✓	2: women's cubicles 1: men's cubicle + urinal trough	<ul style="list-style-type: none"> Unable to open due to insufficient budget Users likely to be local residents Alternative facility nearby at the newly refurbished Station Road
Wild Park Brighton BN1 9HT		✓				✓	1: gender neutral accessible toilet	<ul style="list-style-type: none"> Unable to open due to insufficient budget Risk as used for football and no other facilities available

140

Conversations are ongoing regarding the Royal Pavilion Garden and The Level toilets

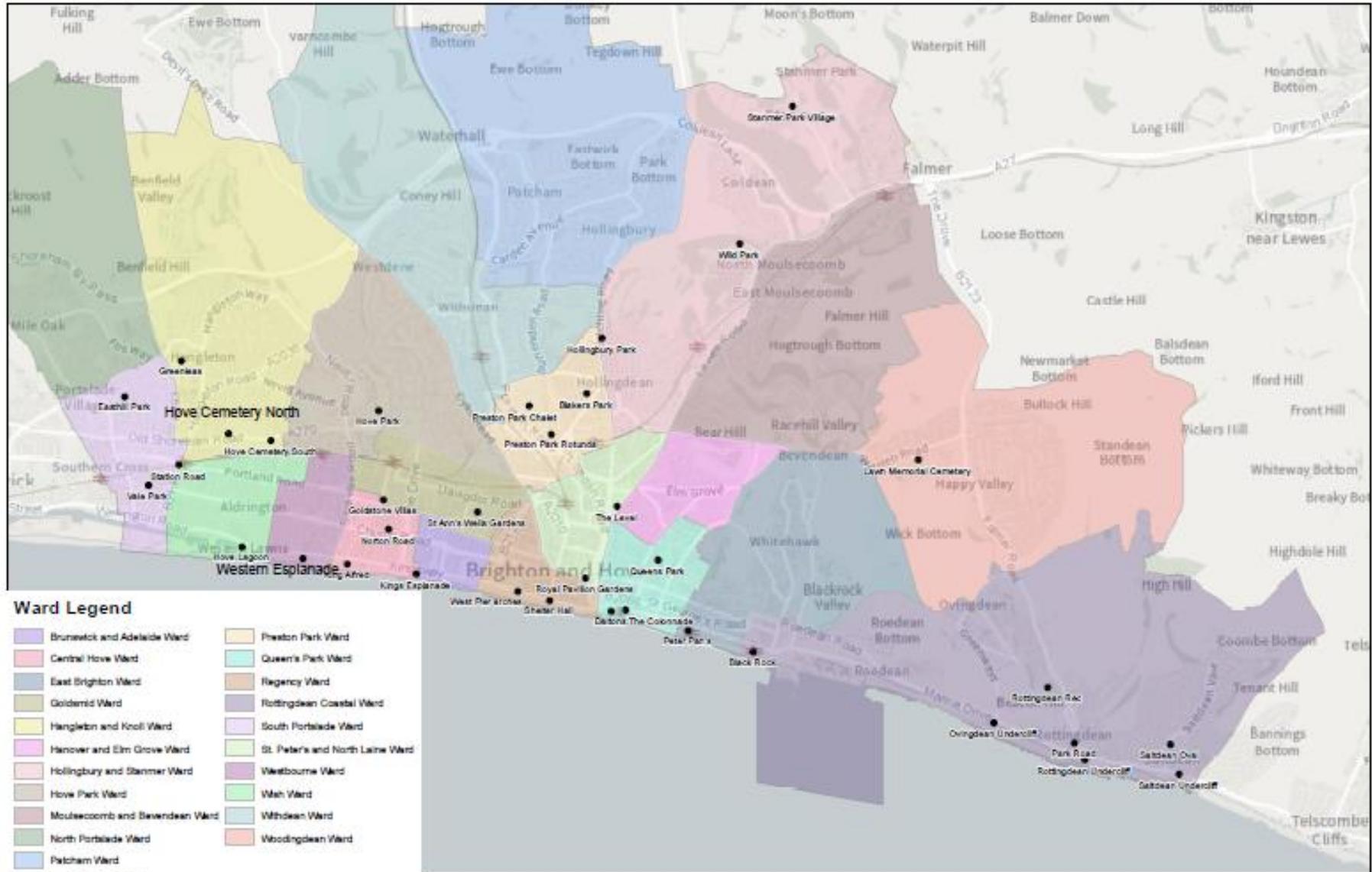
Toilet site	Facilities						Number of cubicles	Comments
								
Royal Pavilion Gardens Brighton BN1 1EE		✓	✓	✓		✓	1: women's accessible toilet 5: women's cubicles 1: men's accessible toilet 3: men's cubicles + 6 single urinals	<ul style="list-style-type: none"> Difficult site to maintain due to anti-social behaviour Conversations ongoing about the future of this site
The Level Brighton BN1 4SB	✓	✓			✓		1: gender neutral Changing Places Toilet 2: gender neutral accessible toilets	<ul style="list-style-type: none"> The toilets, along with café and mess room, currently closed due to issues with the building Conversations ongoing about the future of this site

Conversations are ongoing regarding the Royal Pavilion Garden and The Level toilets

Toilet site	Facilities						Number of cubicles	Comments
								
							3: gender neutral toilets	

Appendix 2: map of public toilet facilities by ward

143





Equality Impact and Outcome Assessment (EIA) Template - 2019

EIAs make services better for everyone and support value for money by getting services right first time.

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed.

Title of EIA	Public toilet closures	ID No.	
Team/Department	City Environment		
Focus of EIA	<p>The Public Toilet Team within City Environment is responsible for 36 public toilets sites across the city.</p> <p>Under the Public Health Act 1936, local authorities in England and Wales have a power, not a duty, to provide toilets for use by the public. Therefore, public toilets are not a statutory service.</p> <p>As part of the 2023/24 budget setting process, a £0.300m saving has been proposed for the public toilet budget. This Equality Impact Assessment assesses the impact proposed closures will have on the protected characteristics below.</p> <p>This document should be read in conjunction with the Public Toilet Report presented to Environment, Transport & Sustainability Committee on 17 January 2023.</p> <p>Within the report to Environment, Transport & Sustainability Committee there is also a proposal to introduce a charge to use some public toilets. This may have a cumulative impact on some protected characteristics.</p>		

2. Update on previous EIA and outcomes of previous actions

What actions did you plan last time? (List them from the previous EIA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action plan below)
An Equality Impact Assessment was not completed for the previous budget savings relating to public toilets.		

3. Review of information, equality analysis and potential actions

145

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. The population in Brighton & Hove in November 2022 ¹ : <ul style="list-style-type: none"> • 0-15 years: 44,750 • 16-64 years: 207,971 • 65+ years: 39,017 	In October 2022, emergency closures were made to manage a forecasted £0.400m pressure within the public toilet budget at that time. Since then, four complaints have been received where the age of users was cited as a reason for the complaint, three for children and one for 65+ years.	Older people may be disproportionately impacted if some public toilets are closed. Older people may have mobility issues which limit access to other toilets. They may need to use the toilet more often. Parents and carers may need more frequent access to public toilets for baby changing facilities. Small children have less control over their bladders and outings can be abruptly shortened if a child needs to use a toilet.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Place signage on the closed toilets, directing people to the nearest alternative and to the council website for more information. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.
Disability	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. There are 44,569 people (16.3% of the population) in Brighton & Hove whose daily activities are limited in some degree by a long-term health problem or disability ² .	In October 2022, emergency closures were made to manage a forecasted £0.400m pressure within the public toilet budget at that time. Since then, three complaints have been received where a disability was cited as a reason for the complaint.	Some people with certain disabilities may be disproportionately impacted if some public toilets are closed. People with certain disabilities may have mobility issues which limit access to other toilets. They may need to use the toilet more often.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Place signage on the closed toilets, directing people to the nearest alternative and to the council website for more information. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites

¹ [Local Insight \(communityinsight.org\)](https://communityinsight.org)

² [Equalities in Brighton & Hove: Data snapshot for equalities groups across the city \(bhconnected.org.uk\)](https://bhconnected.org.uk)

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations over to third parties.
Gender reassignment	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. It is estimated that at least 2,760 trans adults live in Brighton & Hove ¹ .	In October 2022, emergency closures were made to manage a forecasted £0.400m pressure within the public toilet budget at that time. No complaints have been received where gender reassignment was cited as a reason for the complaint.	Those undergoing or who have completed gender reassignment may be disproportionately impacted if some public toilets are closed. Transgender people may face discrimination due to people's perception about their gender.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Place signage on the closed toilets, directing people to the nearest alternative and to the council website for more information. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.
Pregnancy and maternity	Public toilets are available to those that live and visit the city. As such, data is not held on all service users.	In October 2022, emergency closures were made to manage a forecasted £0.400m pressure within the public toilet budget at that time. No complaints have been received where pregnancy or maternity were cited as a reason for the complaint.	Pregnant people may be disproportionately impact if some public toilets are closed. Pregnant people may need to use the toilet more often.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Place signage on the closed toilets, directing people to the nearest alternative and to the council website for more information. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites

¹ [Equalities in Brighton & Hove: Data snapshot for equalities groups across the city \(bhconnected.org.uk\)](https://www.bhconnected.org.uk/equalities-in-brighton-hove-data-snapshot-for-equalities-groups-across-the-city)

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations over to third parties.
Race/ethnicity Including migrants, refugees and asylum seekers	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all races/ethnicities will be affected by the closure of some public toilets.	No feedback received from this group regarding closure of public toilets.	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all races/ethnicities will be affected by the closure of some public toilets.	Whilst there is unlikely to be a disproportionate impact on this characteristic, the actions detailed for the other characteristics will apply here.
Religion or belief	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all religions and beliefs will be affected by the closure of some public toilets.	No feedback received from this group regarding closure of public toilets.	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all religions and beliefs will be affected by the closure of some public toilets.	Whilst there is unlikely to be a disproportionate impact on this characteristic, the actions detailed for the other characteristics will apply here.
Sex/Gender	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. In Brighton & Hove in November 2022 ¹ : <ul style="list-style-type: none"> • 147,035 males • 144,702 females 	In October 2022, emergency closures were made to manage a forecasted £0.400m pressure within the public toilet budget at that time. No complaints have been received where sex/gender was cited as a reason for the complaint.	Women and girls may be disproportionately impacted if some public toilets are closed. Women and girls may need to use the toilet more often due to being on their period or going through the menopause.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Place signage on the closed toilets, directing people to the nearest alternative and to the council website for more information. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.

¹ [Local Insight \(communityinsight.org\)](https://communityinsight.org)

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Sexual orientation	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all members of the public will be affected by the closure of some public toilets.	No feedback received from this group regarding closure of public toilets.	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all members of the public will be affected by the closure of some public toilets.	Whilst there is unlikely to be a disproportionate impact on this characteristic, the actions detailed for the other characteristics will apply here.
Marriage and civil partnership	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all members of the public will be affected by the closure of some public toilets.	No feedback received from this group regarding closure of public toilets.	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all members of the public will be affected by the closure of some public toilets.	Whilst there is unlikely to be a disproportionate impact on this characteristic, the actions detailed for the other characteristics will apply here.
Community Cohesion	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all communities will be affected by the closure of some public toilets.	No feedback received from this group regarding closure of public toilets.	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all communities will be affected by the closure of some public toilets.	Whilst there is unlikely to be a disproportionate impact on this characteristic, the actions detailed for the other characteristics will apply here.
Other relevant groups Those on lower incomes	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. From January to December 2021 there were 8,300 workless households in Brighton & Hove (8.6% of households). No data is available on the number of children within these households ¹ .	In October 2022, emergency closures were made to manage a forecasted £0.400m pressure within the public toilet budget at that time. One complaint has been received which stated the user was able to buy a cup of coffee and use the facilities in a local café instead, but not everyone	Those on lower incomes may be disproportionately affected if some public toilets are closed.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Place signage on the closed toilets, directing people to the nearest alternative and to the council website for more information. Explore the alternative options for public toilets to

¹ [Labour Market Profile - Nomis - Official Census and Labour Market Statistics \(nomisweb.co.uk\)](https://www.nomisweb.co.uk)

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	In November 2022, there were 7,860 (3.8% of the population) out-of-work benefit claimants ¹ .	can afford to do this.		remain open without council funds e.g. handing sites over to third parties.
Other relevant groups Parents and carers	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. In Brighton & Hove in November 2022 ² : <ul style="list-style-type: none"> • 0-15 years: 44,750 	As above, since the emergency closures were made three complaints have been received where the young age of users was cited as a reason for the complaint.	Parents and carers of young children may be disproportionately affected if some public toilets are closed. They may need more frequent access to public toilets for baby changing facilities. Small children have less control over their bladders and outings can be abruptly shortened if a child needs to use a toilet.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Place signage on the closed toilets, directing people to the nearest alternative and to the council website for more information. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.
Other relevant groups Rough sleepers	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. In December 2021, the number of people sleeping on the streets on a given night in Brighton & Hove was 27 ³ .	In October 2022, emergency closures were made to manage a forecasted £0.400m pressure within the public toilet budget at that time. No complaints have been received where facilities for rough sleepers was cited as a reason for the complaint.	Rough sleepers may be disproportionately impacted if some public toilets are closed. They may feel a greater stigma when using other facilities and may not feel welcome.	Publicise other toilets available, such as museums, shopping centres etc. Place signage on the closed toilets, directing people to the nearest alternative and to the council website for more information. Explore the alternative options for public toilets to

¹ [Labour Market Profile - Nomis - Official Census and Labour Market Statistics \(nomisweb.co.uk\)](https://nomisweb.co.uk)

² [Local Insight \(communityinsight.org\)](https://communityinsight.org)

³ [274,000 people in England are homeless, with thousands more likely to lose their homes - Shelter England](https://www.shelter.org.uk)

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>remain open without council funds e.g. handing sites over to third parties.</p> <p>Provide information on the facilities available to rough sleepers, including First Base, Antifreeze and the Clocktower Sanctuary.</p>
Whilst not protected characteristics: other relevant groups	Public toilets are available to those that live and visit the city. As such, data is not held on all service users.	<p>In October 2022, emergency closures were made to manage a forecasted £0.400m pressure within the public toilet budget at that time.</p> <p>Three complaints have been received about the impact this has on people partaking in exercise across the city.</p> <p>One complaint was received above the impact this has on people working outside across the city.</p>	<p>Those partaking in exercise across the city and those working outside may be disproportionately affected if some public toilets are closed.</p> <p>They may have nowhere else to go nearby.</p>	<p>Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.</p> <p>Place signage on the closed toilets, directing people to the nearest alternative and to the council website for more information.</p> <p>Explore options for a Community Toilet Scheme whereby businesses allow non-customers to use their toilets.</p>
Cumulative impact	<p>There is also a proposal to charge for some public toilets in the city. An EIA for this is contained in Appendix 3 of the report to Environment, Transport & Sustainability Committee. This includes actions to reduce the impact on members of the public.</p> <p>The two proposals together may have a cumulative impact on some Groups.</p>			
Assessment of overall impacts and any further recommendations				

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
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The closure of some public toilet sites will have a disproportionate impact on some protected characteristics. This will be mitigated, to some extent, by the actions detailed in section 5. The purpose of closing some sites is to ensure the service can operate within budget and not impact on other council services. Public toilets are a non-statutory service and statutory services have to be prioritised with the limited council budget available. In addition to the actions detailed in section 3 against relevant Groups, City Environment will also look at what the alternative options are to enable more public toilets to stay open without council funds. This includes handing over sites to third parties, where it is appropriate to do so.

4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
As per footnotes in section 3			

5. Prioritised Action Plan

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
For all groups	Publicise other toilets available, such as libraries, museums, shopping centres etc.	Improved website content Residents and visitors are aware of the toilet facilities across the city	Members of the public informed of the toilet facilities across the city	The content on the website will be updated in February 2023
	Place signage on the closed toilets, directing people to the nearest alternative and to the	Improved website content Residents and visitors are aware of the toilet facilities across the city	Members of the public informed of the toilet facilities across the city	The content on the website will be updated in February 2023

	council website for more information.			
	Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.	Toilets currently planned for closure will be reopened, with other businesses and organisations taking on responsibility for them	The number of toilets currently planned for closure that have been reopened	12 to 36 months
Rough sleepers	Provide information on the facilities available to rough sleepers, including First Base, Antifreeze and the Clocktower Sanctuary	Rough sleepers are aware of the toilet facilities across the city	Rough sleepers informed of the toilet facilities across the city	Once a decision has been made at Budget Council on 23 February 2023, communications will take place

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment:

Date:

Directorate Management Team rep or Head of Service/Commissioning:

Date:

CCG or BHCC Equality lead:

Date:



Equality Impact and Outcome Assessment (EIA) Template - 2019

EIAs make services better for everyone and support value for money by getting services right first time.

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed.

Title of EIA	Public toilet charging	ID No.	
Team/Department	City Environment		
Focus of EIA	<p>The Public Toilet Team within City Environment is responsible for 36 public toilets sites across the city.</p> <p>Under the Public Health Act 1936, local authorities in England and Wales have a power, not a duty, to provide toilets for use by the public. Therefore, public toilets are not a statutory service.</p> <p>To supplement the current public toilet budget and reduce the council’s overall budget gap, it is proposed that charging is introduced at sites across the city.</p> <p>This Equality Impact Assessment assesses the impact charging will have on the protected characteristics below.</p> <p>This document should be read in conjunction with the Public Toilet Report presented to Environment, Transport & Sustainability Committee on 17 January 2023.</p> <p>As part of the 2023/24 budget setting process, a £0.300m saving has been proposed for the public toilet budget. This may have a cumulative impact on some protected characteristics.</p>		

2. Update on previous EIA and outcomes of previous actions

What actions did you plan last time? (List them from the previous EIA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action plan below)
An Equality Impact Assessment has not completed before on the introduction of charging at public toilets.		

155

3. Review of information, equality analysis and potential actions

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. The population in Brighton & Hove in November 2022 ¹ : <ul style="list-style-type: none"> • 0-15 years: 44,750 • 16-64 years: 207,971 • 65+ years: 39,017 	No feedback received from this group regarding charging at public toilets.	Older people may be disproportionately impacted if charging is introduced. Older people may need to use the toilet more often.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.
Disability	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. There are 44,569 people (16.3% of the population) in Brighton & Hove whose daily activities are limited in some degree by a long-term health problem or disability ² .	No feedback received from this group regarding charging at public toilets.	Some people with certain disabilities may be disproportionately impacted if charging is introduced. People with certain disabilities may need to use the toilet more often.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.
Gender reassignment	Public toilets are available to those that live and visit the city. As such, data is not	No feedback received from this group regarding charging at public toilets.	Those undergoing or who have completed gender reassignment may be disproportionately impacted	Publicise other toilets available, such as libraries, museums, shopping

¹ [Local Insight \(communityinsight.org\)](https://communityinsight.org)

² [Equalities in Brighton & Hove: Data snapshot for equalities groups across the city \(bhconnected.org.uk\)](https://bhconnected.org.uk)

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	held on all service users. It is estimated that at least 2,760 trans adults live in Brighton & Hove ¹ .		if charging is introduced. Transgender people may face discrimination due to people's perception about their gender.	centres etc. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.
Pregnancy and maternity	Public toilets are available to those that live and visit the city. As such, data is not held on all service users.	No feedback received from this group regarding charging at public toilets.	Pregnant people may be disproportionately impact if charging is introduced. Pregnant people may need to use the toilet more often.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.
Race/ethnicity Including migrants, refugees and asylum seekers	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all races/ethnicities will be affected by charging at public toilets.	No feedback received from this group regarding charging at public toilets.	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all races/ethnicities will be affected by charging at public toilets.	Whilst there is unlikely to be a disproportionate impact on this characteristic, the actions detailed for the other characteristics will apply here.
Religion or belief	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all religions and beliefs will be affected by charging at public toilets.	No feedback received from this group regarding charging at public toilets.	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all religions and beliefs will be affected by charging at public toilets.	Whilst there is unlikely to be a disproportionate impact on this characteristic, the actions detailed for the other characteristics will apply here.

¹ [Equalities in Brighton & Hove: Data snapshot for equalities groups across the city \(bhconnected.org.uk\)](https://www.bhconnected.org.uk/equalities-in-brighton-hove-data-snapshot-for-equalities-groups-across-the-city)

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Sex/Gender	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. The population in Brighton & Hove in November 2022 ¹ : <ul style="list-style-type: none"> • 147,035 males • 144,702 females 	No feedback received from this group regarding charging at public toilets.	Women and girls may be disproportionately impacted if charging is introduced. Women and girls may need to use the toilet more often due to being on their period or going through the menopause.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.
Sexual orientation	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all members of the public will be affected by charging at public toilets.	No feedback received from this group regarding charging at public toilets.	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all members of the public will be affected by charging at public toilets.	Whilst there is unlikely to be a disproportionate impact on this characteristic, the actions detailed for the other characteristics will apply here.
Marriage and civil partnership	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all members of the public will be affected by charging at public toilets.	No feedback received from this group regarding charging at public toilets.	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all members of the public will be affected by charging at public toilets.	Whilst there is unlikely to be a disproportionate impact on this characteristic, the actions detailed for the other characteristics will apply here.
Community Cohesion	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all communities will be affected by charging at public toilets.	No feedback received from this group regarding charging at public toilets.	Whilst there is unlikely to be a disproportionate impact on this specific characteristic, all communities will be affected by charging at public toilets.	Whilst there is unlikely to be a disproportionate impact on this characteristic, the actions detailed for the other characteristics will apply here.
Other relevant groups	Public toilets are available to those that live and visit the city. As such, data is not	In October 2022, emergency closures were made to manage a	Lower income families and individuals may be disproportionately impacted	Publicise other toilets available, such as libraries, museums, shopping

¹ [Local Insight \(communityinsight.org\)](https://communityinsight.org)

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	held on all service users. From January to December 2021 there were 8,300 workless households in Brighton & Hove (8.6% of households). No data is available on the number of children within these households ¹ . In November 2022, there were 7,860 (3.8% of the population) out-of-work benefit claimants ² .	forecasted £0.400m pressure within the public toilet budget at that time. One complaint has been received which stated the user was able to buy a cup of coffee and use the facilities in a local café instead, but not everyone can afford to do this.	if charging is introduced.	centres etc. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.
Other relevant groups Parents and carers	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. In Brighton & Hove in November 2022 ³ : <ul style="list-style-type: none"> • 0-15 years: 44,750 	No feedback received from this group regarding charging at public toilets.	Parents and carers of young children may be disproportionately impacted if charging is introduced. Parents and carers of young children may need more frequent access to public toilets for baby changing facilities and for young children to use the facilities.	Publicise other toilets available, such as libraries, museums, shopping centres etc. Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.
Other relevant groups Rough sleepers	Public toilets are available to those that live and visit the city. As such, data is not held on all service users. In December 2021, the	No feedback received from this group regarding charging at public toilets.	Rough sleepers may be disproportionately impacted if charging is introduced. They may not be able to afford the charge to access	Publicise other toilets available, such as libraries, museums, shopping centres etc. Explore the alternative

¹ [Labour Market Profile - Nomis - Official Census and Labour Market Statistics \(nomisweb.co.uk\)](https://nomisweb.co.uk)

² [Labour Market Profile - Nomis - Official Census and Labour Market Statistics \(nomisweb.co.uk\)](https://nomisweb.co.uk)

³ [Local Insight \(communityinsight.org\)](https://communityinsight.org)

Groups to assess	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	number of people sleeping on the streets on a given night in Brighton & Hove was 27 ¹ .		the toilet facilities or to wash. They may feel a greater stigma when using other facilities and may not feel welcome.	options for public toilets to remain open without council funds e.g. handing sites over to third parties. Provide information on the facilities available to rough sleepers, including First Base, Antifreeze and the Clocktower Sanctuary.
Cumulative impact	There is also a proposal to close some public toilets in the city. An EIA for this is contained in Appendix 2 of the report to Environment, Transport & Sustainability Committee. This includes actions to reduce the impact on members of the public. The two proposals together may have a cumulative impact on some Groups.			
Assessment of overall impacts and any further recommendations				
The introduction of charging at some public toilet sites will have a disproportionate impact on some protected characteristics. This will be mitigated, to some extent, by the actions detailed in section 5. The purpose of introducing charging is to sustain as much public toilet provision as possible and reduce the likelihood of further closures, which would have a further negative impact on some Groups. In addition to the actions detailed in section 3 against relevant Groups, City Environment will also look at what the alternative options are to enable more public toilets to stay open without council funds. This includes handing over sites to third parties, where it is appropriate to do so.				

4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)

¹ [274,000 people in England are homeless, with thousands more likely to lose their homes - Shelter England](#)

As per footnotes in section 3

5. Prioritised Action Plan

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
For all groups	Publicise other toilets available, such as libraries, museums, shopping centres etc.	Improved website content Residents and visitors are aware of the toilet facilities across the city		The content on the website will be updated in February 2023
	Explore the alternative options for public toilets to remain open without council funds e.g. handing sites over to third parties.	Toilets currently planned for closure will be reopened, with other businesses and organisations taking on responsibility for them	The number of toilets currently planned for closure that have been reopened	12 to 36 months
Rough sleepers	Provide information on the facilities available to rough sleepers, including First Base, Antifreeze and the Clocktower Sanctuary	Rough sleepers are aware of the toilet facilities across the city	Rough sleepers informed of the toilet facilities across the city	Once a decision has been made at Budget Council on 23 February 2023, communications will take place

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment:

Date:

Directorate Management Team rep or Head of Service/Commissioning:

Date:

CCG or BHCC Equality lead:

Date:

Appendix 5: Community Toilet Scheme Research

Background

Brighton & Hove City Council previously participated in a Community Toilet Scheme (CTS) called 'Use Our Loo'. It started in 2000 as the 'You're Welcome' scheme and was designed to encourage businesses to open up their toilets to the public. They are asked to display a sticker and their details are displayed in tourist information, the city map and online.

As reported in 2012¹, uptake was limited, with 19 businesses involved. The concerns that businesses had in participating in the scheme related to:

- *Anti-social behaviour*
- *Opening up their premises to 'all and sundry'*
- *Costs incurred such as water metering, cleaning and supplies*
- *Insurance implications*

Feedback was also that smaller businesses found it difficult to participate in the scheme due to:

- *Less likely to be accessible toilets*
- *Lack of supervision of facilities*
- *Location of toilets within small businesses can be inaccessible and present security issues*
- *Less resources for cleaners*
- *The rate at which these businesses were going under, there was no guarantee that they would still be there in 6 months*
- *Impact on insurance.*

At the time, no financial incentives were offered by the council to participate in the scheme.

Because of the relatively poor uptake owing to local business concerns above, the council decided to alter the nature of the CTS by not keeping participant's facilities open to the general public. Instead, there were plans in 2012 to adapt the Use Our Loos Scheme for use from the general public to only those with specific medical needs. There were plans to issue 'Can't Wait Cards' to those eligible. Since this time, the limited officer resource has focused on the public toilet cleaning and maintenance contract, when it was delivered by a contractor and, more recently, the insourcing of the service and now direct cleaning and maintenance.

Desktop research

Desktop research has been completed into the CTS run by other local authorities:

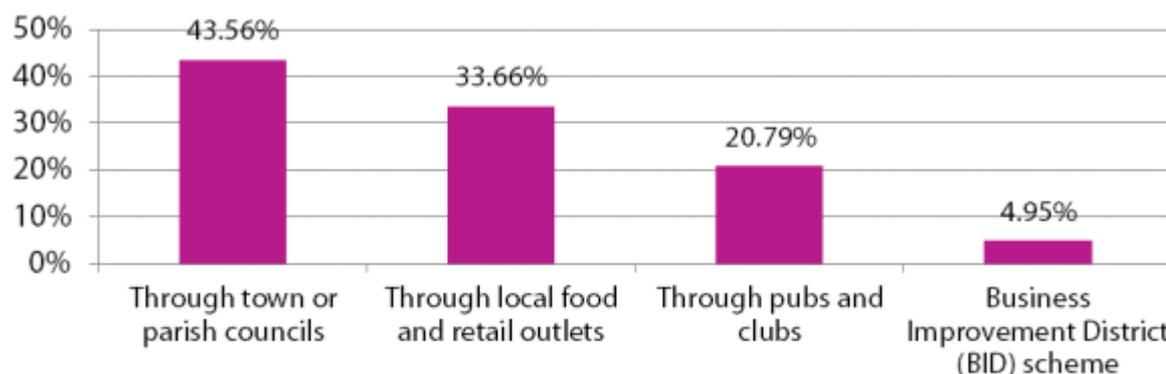
Authority	How many toilets does your local authority provide?	How long has the CTS been in place?	Is a fee paid to those businesses participating in the CTS?
Bristol City Council	<ul style="list-style-type: none"> • 18: council maintained public toilet sites in parks throughout the city • 9: council buildings • 21: open access sites e.g. shopping centres • 83: businesses / organisations participating in a CTS 	Since 2018	No
Cardiff	<ul style="list-style-type: none"> • 36: council maintained public toilet sites, of which 35 are council buildings 	Since 2019	No

¹ Publicly Accessible Toilets Scrutiny Panel Report, July 2013 available at <https://www.brighton-hove.gov.uk/sites/default/files/migrated/article/inline/final%20publicly%20accessible%20report%20for%20OSC.pdf>

Authority	How many toilets does your local authority provide?	How long has the CTS been in place?	Is a fee paid to those businesses participating in the CTS?
	<ul style="list-style-type: none"> • 2: in open access sites e.g. shopping centres / train stations • 3: businesses / organisations participating in a CTS 		
City of London	<ul style="list-style-type: none"> • 2: council maintained public toilet sites • 2: council buildings • 12: open access sites e.g. shopping centres • 60: businesses / organisations participating in a CTS • 4: other (Urilifts) 	Since 2010	Yes - £600 per year regardless of facilities offered
London Borough of Richmond Upon Thames	<ul style="list-style-type: none"> • Unknown: council maintained public toilet sites – the council still maintain toilets in parks, libraries, and cemeteries • 8: council buildings (libraries) • Unknown: open access sites e.g. shopping centres • 49: businesses / organisations participating in a CTS 	Started in late 1990s and officially launched in 2003	Yes – £1000 per year if open seven days a week, and £800 if not (payments made six months in arrears and six months in advance)
Poole	<ul style="list-style-type: none"> • 19: council maintained public toilet sites • 3: council buildings • 1: open access sites e.g. shopping centres • 17: businesses / organisations participating in a CTS 	Since 2016 – shut all toilets in the town centre (4) when introducing the CTS	Yes – criteria are used to score the facilities available and a payment made accordingly; this ranges from £300 to £1000
Wealden District Council	<ul style="list-style-type: none"> • 4: council maintained public toilet sites • 4: council buildings • 0: open access sites e.g. shopping centres • 17: businesses / organisations participating in a CTS 	Since 2009	Yes – dependent on opening hours and facilities available; ranges from £500 to £1560

A July 2022 report from the [Association for Public Service Excellence](#) (APSE) presents the results of a survey conducted with APSE member councils on public toilet provision, including alternative arrangements for public toilet provision. This includes:

Has the council developed alternative arrangements for public toilet provision?



The responding councils have several different approaches to alternative arrangements for public toilet provision, with the most popular two being through town and parish councils (43.56%) and through local food and retail outlets (33.66%) via community comfort schemes. Several others also have alternative solutions through things like privately run toilets or use other council owned facilities such as sports centres, libraries and customer centres.

Considerations for Brighton & Hove City Council

In determining whether to introduce a CTS in Brighton & Hove, the following needs to be considered:

Item	Necessary?	Cost
Fee paid to participants	Optional	£300-£1560 per site per annum based on other council examples
Signage costs	Mandatory	Unknown
Administration costs i.e. staff and associated costs relating to: <ul style="list-style-type: none"> • Liaising with and supporting participants • Inspecting sites to ensure compliance 	Mandatory	Based on other council examples, at least 1 FTE
Initial advertising costs	Optional	Unknown

If the council wanted to introduce a CTS, a budget would need to be allocated. This would be to fund a dedicated officer to administer the scheme and pay businesses to participate. At present, there is no identified budget for this purpose. An alternative is for the CTS to be funded from the public toilet budget, which would reduce the number of sites that could be opened. Therefore, at this time, it is not recommended that a CTS is introduced.

Brighton & Hove City Council

Environment, Transport & Sustainability Committee

Agenda Item 77

**Subject: Public Toilets
Conservative Group Amendment**

Date of meeting: 17 January 2023

That the relevant changes are made to the recommendations as shown below in strikethrough and ***bold italics***:

Recommendations:

- 2.1 That Committee notes the contents of the report.
- 2.2 That Committee ~~agrees to the introduction of charging at public toilets~~ ***does not*** ~~but agrees that insourcing of the contract for cleaning and maintaining public toilets has failed and that this is the principal reason for proposals to close public toilets and to introduce charging~~ ***in line with the principles set out in paragraph 3.27***
- 2.3 ***That Committees agrees that accountability was regularly mentioned as a reason for insourcing (the Leader of the Council specifically said that he preferred to 'bring public toilets back in-house to ensure we have direct management and better accountability') and expresses concern as to where accountability now sits;***

Proposed by: Cllr Nemeth

Seconded by: Cllr Simpson

Recommendations to read if carried:

- 2.1 That Committee notes the contents of the report.
- 2.2 That Committee does not agree to the introduction of charging at public toilets but agrees that insourcing of the contract for cleaning and maintaining public toilets has failed and that this is the principal reason for proposals to close public toilets and to introduce charging
- 2.3 That Committees agrees that accountability was regularly mentioned as a reason for insourcing (the Leader of the Council specifically said that he preferred to 'bring public toilets back in-house to ensure we have direct

management and better accountability') and expresses concern as to where accountability now sits;

Council

Agenda Item 82

Subject: Get Me Home Safely

Date of meeting: 2 February 2023

Proposer: Councillor Platts
Seconder: Councillor O'Quinn

Ward(s) affected: All

Notice of Motion

Labour Group

This Council notes:

1. Shift work is widespread in many industries, particularly hospitality, as well as health and care workers, retail, cleaning, security and porter staff and can often entail late-night working;
2. Many workers, especially women, are increasingly worried about their safety travelling to and from work at night

This Council believes:

3. While employers may feel their duty of care to staff ends when an employee finishes a shift, they also need to take into consideration journeys home, especially during unsocial hours;
4. The weakness of enforcement of the law against sexual assault, including up-skirting, on public transport is appalling and only 2% of victims go on to report sexual harassment on public transport;
5. Unite the union's Get Me Home Safely campaign, which calls on employers to take all reasonable steps to ensure workers are able to get home safely from work at night, is greatly needed and should be supported;
6. Greater numbers of trained staff and stronger enforcement of the law against sexual assault and harassment on public transport are urgently needed;

Therefore, this Council resolves:

7. To request officers bring a report to Licensing Committee that seeks to use powers, as other local authorities such as East Dunbartonshire Council have, to adopt a policy that our licensing committee and panels will ensure the process for approving late night licences will be linked to the provision of free transport home going forward.

Supporting Information:

<https://www.unitetheunion.org/campaigns/get-me-home-safely-campaign/>

Brighton & Hove City Council

Council

Agenda Item 83

Subject: Restoring Basic Services

Date of meeting: 2 February 2023

Proposer: Councillor Wilkinson

Seconder: Councillor Sankey

Ward(s) affected: All

Notice of Motion

Labour Group

This council:

1. Notes the ongoing public dissatisfaction and high volume of complaints Councillors continue to receive from residents about basic council services to deliver since February 2022¹ - from missed refuse, recycling and garden waste collections; to overgrown weeds; to graffiti and litter on our streets, beaches and in our parks; to mismanagement of parking permits; and the general maintenance, upkeep and cleanliness of our city;
2. Acknowledges that over a decade of ideological and savage Conservative Government cuts have played a significant role in the ability of this Council to deliver key services to residents;
3. However, recognises that residents are right to expect the local authority to prioritise the delivery of basic services over vanity projects
4. Notes the request of Council in February 2022 to approve the establishment of a cross-party working group to get to grips with these long-running issues was rejected, but a year on and these problems persist

Therefore, this Council resolves to request officers to produce a report for Policy & Resources Committee to:

5. Consider the urgent establishment of a cross-party MWG consisting of six Members, two from each political party, with the remit to investigate, review and discuss solutions to the systemic management failures behind the delivery of basic council services, and provide recommendations to P&R and ETS.
6. Explore initiatives that bring our communities into the process of identifying and tackling 'grot spots' and key problem-areas for street cleanliness, including participatory forums such as citizens assemblies, citywide clean up events, and meaningful consultations.

¹ <https://democracy.brighton-hove.gov.uk/documents/s173668/Item%2076%20LabGrp%20NoM%20-%20Council%20Service%20Delivery.pdf>

Brighton & Hove City Council

Council

Agenda Item 84

Subject: Insourcing

Date of meeting: 2 February 2023

Proposer: Councillor Nemeth

Seconder: Councillor Barnett

Ward(s) affected: All

Notice of Motion

Conservative Group

This council:

- 1) Acknowledges that insourcing policies that have been pursued by recent Administrations have had a detrimental impact on the provision of services to residents in the City, including by;
 - a. Causing the collapse of several City services including housing repairs and public toilets;
 - b. Directly causing industrial action;
 - c. Costing millions more than originally budgeted to implement, unnecessarily wasting taxpayers' money and contributing to budget overspends; and
 - d. Creating backlogs leading to more contractors being employed than previously was the case;
- 2) Notes that the Council has so far refused requests to undertake a proper analysis of the effectiveness of its insourcing policies or an audit to determine the extent of the millions of pounds of public funds that have been lost;
- 3) Calls for a report that provides such an analysis; and,
- 4) Resolves to not embark on any further insourcing ventures until this analysis is completed and such a report is published.

Brighton & Hove City Council

Council

Agenda Item 85

Subject: Utilisation of empty council buildings

Date of meeting: 2 February 2023

Proposer: Councillor McNair
Seconder: Councillor Bagaeen

Ward(s) affected: All

Notice of Motion

Conservative Group

This council:

- 1) Notes that City Council buildings are now significantly underutilised;
- 2) Further notes that the cause of this is the Council's policy to move towards remote service provision with staff working from home;
- 3) Recognises the unnecessary costs to the taxpayer being incurred from the City Council maintaining and heating buildings which now largely sit empty;
- 4) Notes that other Councils have downsized their council buildings since the pandemic; and
- 5) Calls for a report containing a cost-benefit analysis of downsizing the City Council, that includes:
 - a. Current occupancy of Council buildings;
 - b. Proportion of council staff working from home;
 - c. Potential benefit to the budget from downsizing the council, including by leasing empty office space or selling unneeded premises.

Supporting Information:

<https://www.kentonline.co.uk/canterbury/news/sprawling-council-offices-set-to-be-bought-by-housing-develo-268342/>

Brighton & Hove City Council

Council

Agenda Item 86

Subject: Food and labour shortages

Date of meeting: 2 February 2023

Proposer: Councillor Druitt

Seconder: Councillor Ebel

Ward(s) affected: All

Notice of Motion

Green Group

This council notes:

1. A recent report has highlighted that Brexit has caused a shortfall of over 300 thousand workers in the UK workforce
2. This shortage of workers has affected a number of local businesses, including hospitality and social care providers, as well as the council
3. That a further recent report from LSE showed that the cost of Brexit has put an additional £210 onto the average household food bill and costing UK consumers a total of £5.8billion
4. That these combined are adding to inflation and that this hits our poorest residents the hardest as food is a greater proportion of their bills
5. That this evidence shows Brexit has caused an avoidable increase in challenges and costs for households and businesses alike
6. The Government are seeking to scrap a large number of EU laws with the Retained EU Law Bill which includes protections for food regulation, clean drinking water, thriving nature & wildlife as well as workers rights.

Therefore, resolves to:

7. Request the Chief Executive writes to the Prime Minister and the Chancellor highlighting these concerns and requesting a closer relationship with the EU single market
8. Support the European Movement UK campaign to 'Save our Standards' against the Retained EU Law Bill
9. Reaffirm our commitment as a council to supporting the city's emergency food network and encourage everyone who is able to donate to foodbanks.

Supporting Information:

[1] <https://www.theguardian.com/politics/2023/jan/17/shortfall-of-330000-workers-in-uk-due-to-brexitsay-thinktanks>

[2] <https://www.lse.ac.uk/News/Latest-news-from-LSE/2022/1-December-22/By-the-end-of-2021-Brexit-had-already-cost-UK-households-a-total-of-5.8-billion-in-higher-food-bills-%E2%80%93-new-LSE-research>

Brighton & Hove City Council

Council

Agenda Item 87

Subject: Voter ID

Date of meeting: 2 February 2023

Proposer: Councillor John
Seconder: Councillor Mac Cafferty

Ward(s) affected: All

Notice of Motion

Green Group

This council notes:

1. The local elections in May 2023 will take place requiring Voter ID for the first time
2. That these plans have been criticised by experts such as the Association of Election Administrators, the Electoral Reform Society and the Local Government Association [1] [2]
3. That evidence of electoral fraud is low, with no voters being prosecuted in 2021 and four in 2019, but that the number of people who will potentially be disenfranchised by the need for ID is much larger [3]
4. The Leader of the Council has written to Government regarding Voter ID requesting a delay to its introduction
5. That a clear communications plan has been produced by the City Council to notify residents of the changes as much as possible including information on web, social media and by letter
6. These plans are being introduced too late with little time for voters to be informed of the need for ID

Therefore, resolves to:

7. Reaffirm our opposition to Voter ID following a Green Group Notice of Motion in 2019 [4]
8. Request officers to consider a further briefing for all councillors with information they can share to help residents and with more details on the council's planned communications

Supporting Information:

[1] <https://inews.co.uk/news/voter-id-rollout-chaos-government-website-elections-2074384>

[2] <https://www.aea-elections.co.uk/policy-reporting/statements-communications/news-release-on-letter-to-secretary-of-state-about-the-elections-act-2022-voter-id/>

[3] <https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/electoral-fraud-data/2021-electoral-fraud-data>

[4] <https://democracy.brighton-hove.gov.uk/documents/s147631/Item%2060%2004%20GrnGrp%20Proportional%20Representation.pdf>