

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions have been received from Councillors and will be taken as read along with the written answer which will be included in an addendum that will be circulated at the meeting:

(1) Councillor Platts:

Will the Council consider improving the facilities, interior and area around Damson Block, Bowring Way on the Bristol Estate in East Brighton Ward?

This block needs some basic decoration internally and the public areas need to be upgraded. Lockdown has highlighted a poor internet connection to some parts of the block which is not strong enough to stream or pick up Freeview television as well as making it difficult for households to work from home or access Council services online. There is no TV aerial because that was removed. Residents would like to have fibre optic cable brought into the block.

The area around Damson block also needs serious attention. Cars and vans are frequently parked illegally and contractors' vehicles have been parked on the grassed areas over many months now. This has churned up the grass making it muddy and unattractive. This area is the residents garden and it is not acceptable for contractors to keep claiming the Council has allowed them to park there. Internally, the bin and storage areas have been reported several times recently for overflowing rubbish and drug taking. The residents of this block want the Council to take some action on improvements; to stop illegal parking and to have a named housing officer responsible for each block so that actions needed can be noted and tracked.

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

(2) Councillor Platts:

Parking at Black Rock and on Madeira Drive - Can the Council confirm the amount of car parking spaces in Black Rock car park; to what extent these spaces have been under-used since the re-opening of Madeira Drive for car parking and the amount of parking on Madeira Drive itself?

Can you list separately the amount of revenue generated by use of on street parking in Madeira Drive and the Black Rock car park for the same period plus the parking charges per hour?

Reply from Councillor Heley, Chair of the Environment, Transport & Sustainability Committee

(3) Councillor Allcock:

Labour was pleased to work cross party with the Greens to include School Streets as part of the Emergency Traffic Measures introduced during the Covid pandemic and we welcome the Administrations continuation of this scheme. The Council has said that the scheme will be reviewed after six months and that the impact of the measures will be monitored. Please can you provide details on:

- What form the review will take and what factors will be used to assess future viability;
- What plans are in place to move to a more permanent School Street arrangement at the schools where the scheme is judged to be successful; and
- How the schools involved and the fantastic School Street volunteers who work in all weathers are being updated on progress.

Reply from Councillor Heley, Chair of the Environment, Transport & Sustainability Committee

**(4) Councillor Fishleigh:
E-Scooters on the Undercliff between The Marina and Saltdean**

Please will the council erect large signs at all five access points onto the undercliff as well as by the three cafes on the seafront so that everyone knows that it is against the law to ride e-scooters down there.

There are two access points in Saltdean, one in Rottingdean, one in Roedean and one at the marina.

Reply from Councillor Heley, Chair of the Environment, Transport & Sustainability Committee

**(5) Councillor Fishleigh:
Cityclean Service over Christmas and New Year.**

What measures have been put in place to ensure that both communal and household recycling and general waste bins will be emptied on a regular basis over Christmas and New Year and that we will not see a repeat of the overflowing bins and non-collections experienced last December, January and February?

Reply from Councillor Heley, Chair of the Environment, Transport & Sustainability Committee

**(6) Councillor Fishleigh:
Additional Communal Recycling and General Waste Bins**

Please can we have extra communal general waste and recycling bins in the following areas in Rottingdean Coastal over Christmas and New Year?

These are areas with hundreds of flats and fewer car users: Sussex Square, The Arundels, Rottingdean recycling point, Saltdean recycling points x 2.

Reply from Councillor Heley, Chair of the Environment, Transport & Sustainability Committee

**(7) Councillor Barnett:
Benfield Valley**

Brighton & Hove City Council's Property Team, after extensive research, has advised the following:

That there is nothing to suggest from the property register that the lease dated 27/10/92 made between Hove Borough Council & Sainsbury Plc has been varied or that a sublease for 7 years or more has been granted (there is no requirement to register a lease for 7 years or less at the land registry).

The 1992 lease includes the following provisions of note:

(13) COVENANT TO KEEP VACANT LAND IN PROPER ORDER

To keep the land not occupied by buildings in a clean well cultivated and proper condition so far as is appropriate to the actual use of the Premises and so as not to cause injury to the environment of the area or any adjoining land and to forthwith comply at its own expense with any notice of a relevant authority whether served on the Tenant or the Landlord reasonably requiring the abatement of any such injury.

(14) TO PRESERVE TREES ETC

To keep trees shrubs and hedging on the Premises in good order and condition so far as reasonably possible and properly tended cultivated in accordance with the principles of good husbandry and pruned or trimmed and to replace all losses PROVIDED that so to do shall not interfere unreasonably with the use of the Premises for outdoor recreational and leisure purposes AND PROVIDED FURTHER that the same quantities of trees shrubs and hedging as at the date hereof shall be maintained hereafter and any revised layout thereof shall (before removal of the existing trees and shrubs and hedging) first be agreed with the Landlord which shall act reasonably in reaching such agreement with the Tenant

(16) NOT TO MAKE ALTERATIONS OR ADDITIONS

Not to erect any new or additional buildings on the Premises or any part thereof or make any alteration or addition whatsoever to the exterior of the buildings without the Landlord's written consent (such consent not to be unreasonably withheld or delayed) PROVIDED that it shall be unreasonable for the Landlord

to withhold consent with regard to any application for consent to build or to make alterations or additions to buildings used for or ancillary to a use permitted by Clause 3(8) hereof.

(18) NOT TO ASSIGN ETC WITHOUT CONSULTATION/CONSENT AND ASSIGNMENT ETC TO A COMPANY

The Tenant covenants with the Landlord not to share possession or occupation or grant licence to use or grant third party rights over the Premises or any part or parts thereof

According to the official copy of register of title (Land Registry) the following information relating to the current tenants Benfield Investments Limited regarding the title absolute:

- (27/09/2004) PROPRIETOR: BENFIELD INVESTMENTS LIMITED (Co. Regn. No. 5121561) of 73 Church Road, Hove E Sussex BN3 2BB.
- RESTRICTION: Except under an order of the registrar no disposition of the land edged blue on the filed plan or any part thereof made before **12 May 2080** is to be registered without the consent of Capital and Regional Estates Limited or their successors in title in accordance with clauses 7.1 and 7.2 of the Transfer dated 12 May 2000 referred to in the Charges Register.
- The price stated to have been paid on 10 September 2004 was £625,000 According to an Option Agreement lodged with the Land Registry dated 25/07/2016:
- Benfield Investments Limited signed an Option Agreement with Futureform Global Investments Limited offering the land for development of **814 dwellings** with a purchase price of **£25,236,750**

Given the information above, including the confirmation that the 1992 lease is still in effect, I have the following questions:

1. Has the Tenant Benfield Investments Limited broken section 3 clause 14 of the lease above by clearing a large area of land, as reported by the Argus on 5 April 2017? <https://www.theargus.co.uk/news/15203948.amp/>
2. Has the Tenant Benfield Investments Limited broken section 3 clause 16 of the lease by signing an option agreement with Futureform Global Investments in 2016?
3. Has the Tenant Benfield Investments broken section 3 clause 18 of the lease by subletting the land to Brighton Footgolf?

Reply from Councillor Mac Cafferty, Leader of the Council

**(8) Councillor Barnett:
Benfield Valley**

At the last council meeting I asked you the following oral question:
I refer to the council land comprising Benfield Valley Golf Course that I understand is currently on a long-lease.

Residents in my ward have since 2006 had to fight against proposal after proposal for housing developments on this land.

I recently met with one of the leaseholders who said he would be happy to enter negotiations with the council to discuss the council potentially buying back the long-lease.

Will the Leader of this Green Council consider buying back the long-lease and making the land part of the South Downs National Park to end these perpetual battles and protect it for ever from development for the benefit of our City.

Thank you.

In your response you said you would investigate the matter and write back to me. I have not yet received the response promised.

Please could you write back to me so that I can advise residents in my ward? Please can we have extra communal general waste and recycling bins in the following areas in Rottingdean Coastal over Christmas and New Year?

These are areas with hundreds of flats and fewer car users: Sussex Square, The Arundels, Rottingdean recycling point, Saltdean recycling points x 2.

Reply from Councillor Mac Cafferty, Leader of the Council

**(9) Councillor Simson:
South Down Riding School**

Please can I have the information asked of the Chief Executive of the Council on the 8th October with a reminder sent on the 19th October? Has Southdown Riding School, at the top of Bear Road, been informed by the council, as the landlord, that they have to vacate the premises next year and is this with the intention of building on the land as one of the urban fringe sites that residents are fighting so hard to stop the development of in City Plan part 2?

Reply from Councillor Mac Cafferty, Leader of the Council

**(10) Councillor Simson:
Empty Council Houses**

Please can you tell me how many empty council homes there are in the city currently, how long the longest one has been empty for, and why the Council is ripping out perfectly good fittings from vacated homes at enormous expense when it was agreed several years ago this wasn't going to be done anymore?

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

**(11) Councillor Mears:
Update on Re[airs & Maintenance to Council Housing Stock**

Following on from a report - *Update on Repairs & Maintenance to Council Housing Stock* - that went to the Housing Committee on the 16th September 2020, why was the internal Audit report presented to Audit and Standards committee on the 27th November 2020 never been shown to the Housing Committee on the 16th September or the 18th November committee meeting?

The Housing Committee has Delegated Powers under the Council's Constitution. Therefore, this also raises a number of other questions:

1. After spending £9.3m the procurement reports states that Service Management has identified that it requires additional resources to deliver a full service. How much extra is needed, and when will this be reported to Housing committee as this is paid from the HRA Budget?
2. The conclusion in the October 2020 report states that only Partial Assurance can be given on the operation of the new service and related systems. When will Full Assurance be given for the service?
3. Audit found that the service has not yet contracted with enough subcontractors to meet the needs of the service. When will this be put in place?
4. The internal Audit report includes eight high priority actions for improvement, which have been agreed with management. Please give details of all eight actions needed.

Please give details of the medium priority actions needed for improvement with the service.

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

**(12) Councillor McNair:
Mobile Phone Masts**

Through what mechanism, for example a supplementary planning document, could 5G mast developers with prior approval be required to provide suitable camouflaging of cabinets and base stations, and would you support the implementation of such a mechanism?

Reply from Councillor Heley, Chair of the Environment, Transport & Sustainability Committee

**(13) Councillor Theobald:
Patcham Roundabout**

The Patcham roundabout (London Road) is the gateway to the City for many visitors and residents of the City.

The roundabout is in a very poor condition and has been for many years now. It is not a good advert for our City and disappointing for residents who want to see our city kept well presented.

Patcham Councillors were promised that work would start this year on landscaping the roundabout to improve the visual amenity of this entry point to the City.

This hasn't happened to date.

Please provide an update on the status of this work.

Reply from Councillor Heley, Chair of the Environment, Transport & Sustainability Committee

