

BRIGHTON & HOVE CITY COUNCIL

NEIGHBOURHOODS, INCLUSION, COMMUNITIES & EQUALITIES COMMITTEE

4.00pm 27 NOVEMBER 2017

ST RICHARD'S CHURCH HALL, EGMONT ROAD, BN3 7FP

MINUTES

Present: Councillor Daniel (Chair)

Also in attendance: Councillor Moonan (Deputy Chair), A Norman (Opposition Spokesperson), West (Group Spokesperson), Bewick, Cattell, K Norman, Peltzer Dunn, Simson and Phillips

Other Members present: Councillors

PART ONE

31 PROCEDURAL BUSINESS

31 (a) Declarations of substitutes

31.1 Councillor Phillips was present as a substitute for Councillor Knight Superintendent De LaRue for Chief Superintendent Bell

31 (b) Declarations of Interest

31.2 There were none.

31 (c) Exclusion of press and public

31.3 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100(I) of the Act).

31.4 **RESOLVED-** That the press and public not be excluded

32 MINUTES

32.1 Councillor A Norman referred to paragraph 23.10 regarding a suggested discussion between relevant members on a cross party Notice of Motion, and was concerned that she had not been consulted on the wording which had been drawn up by opposition colleagues. Councillor Norman said it was important that all parties work together, and hoped that in future all relevant councillors would be consulted.

32.2 **RESOLVED:** That the Minutes of the meeting held on 9 October 2017 be approved and signed as the correct record.

33 CHAIRS COMMUNICATIONS

33.1 This meeting is being recorded and will be capable of repeated being viewing viable online webcast.

Welcome committee members and also members of the public, to this meeting at St Richard's Church Hall.

I'd like to use my communications tonight to draw people's attention to a few key events and activities happening and give my thanks to the hard work and dedication of public sector workers and the citizens of this city for their ongoing efforts to help protect and improve lives of our more vulnerable citizens.

Firstly, thank you to everyone who attended the vigil for Transgender Day of Remembrance on 19th November at the Dorset Gardens Methodist church. A very poignant and moving vigil remembering the lives, sadly, lost in our very own city and around the world from transphobic violence. The event was attended by more than 300 people with speakers talking with passion about the ongoing issues of transphobia and community and personal resilience. I'd like to say a particular thank you to the Trans Alliance who organised the event and our own LGBT works forum for all their support behind the scenes.

We have also been playing our part in the 16 Days of Action for the Elimination of Violence against Women which runs from 25th November (the UN International Day of Elimination of Violence against Women) to the 10th December (Human Rights Day). A range of events have and are continuing to happen in the city, including:

- On 30th November the Young People's Centre is hosting an event called 'I love consent because.....' to raise awareness of the importance of consent and healthy relationships.
- Also on 30th there is an 'Our Encounters with Stalking Conference' which will launch an internationally available publication written by survivors and professionals drawing on their experiences of stalking.

- And as part of the finale on 9th December 2017 we have RISEfest - a collection of performers and speakers lending their voices to deliver the message that Domestic Abuse & Violence is not OK and will not be tolerated.

You can find out about local events, including booking details, at www.safeinthecity.info/16-days-of-action

I would also like to take this opportunity to remind everyone that last year the council proudly secured White Ribbon Accreditation and we are seeking it again for 2017. The White Ribbon Campaign recognises the positive role that men play in preventing violence against women, based on the understanding that most men are not violent. It is therefore a means for men to speak out against violence and abuse and to safely challenge the attitudes and behaviours of a minority of men who use or condone violence against women. I would like to encourage everyone to pledge, or renew their pledge, to never to commit, condone, or remain silent about violence and abuse. You can do this online at www.whiteribboncampaign.co.uk/makepledge.

Last week the city celebrated Restorative Justice Week with an event themed around Communities, Young People, Neighbourhoods and Housing. Attended by over 80 people representing services in the city that are using restorative practices to repair the harm caused by crime or conflict they got to hear from two nationally renowned key note speakers: RJ Advocate Peter Woolf and Lucy Jaffe, Director of Why Me? Victims for RJ.

Lastly, as I know many of you are aware it is World Aids Day this Friday 1st December. So alongside our white ribbon may we wear our red ribbons with pride to raise awareness and show support for people living with HIV.

34 PRESENTATION(S)

- 34.1 Ms J Martindale (Chief Executive Hangleton & Knoll Project) and Ms E McDermott (B&HCC) gave a presentation about the Hangleton & Knoll Project, and the development and benefits of a Neighbourhood Action Plan. A draft copy of the Hangleton & Knoll Action Plan was circulated at the meeting. The Committee were informed that the project had worked with councillors, residents, officers and other stakeholders to produce an action plan. The action plan would identify resources, partnerships and opportunities, to meet the needs and priorities of people living in the local area. Producing the plan was an opportunity to prioritise projects, activities and actions for the local community and to bring resources to the area to improve the local services. The Local Action Team, which was called Community Action, was a long established and well attended group and the members agreed that ownership of the plan would sit with them. A community conference was held which was attended by a cross section of the local community to discuss the plan. Council officers from across the authority looked at the draft plans to see what could be achieved, and what responses could be given. Not all the issues in the Action Plan were for the City Council, so some action points would be responded to by local community groups.

34.2 The Chair and members of the Committee thanked them for the presentation and applauded the work they were doing.

35 CALL OVER

35.1 The following items on the agenda were reserved for discussion:

- Item 38 - Neighbourhoods and Communities Portfolio – Proposed Field Officer Role Business Case
- Item 40 - Community Asset Transfer Policy
- Item 41 – Community Protection Notices
- Item 42 – Oxford Court Public Space Protection Order
- Item 43 – Domestic Violence and Abuse (DVA) and Sexual Violence (SV) Business Improvement Review
- Item 44 – Social Impact Bond – Entrenched Rough Sleepers
- Item 45 – Fairness Commission Progress Update

35.2 The Democratic Services Officer confirmed that the items listed above had been reserved for discussion, and that the following reports on the agenda with the recommendations therein had been approved and adopted:

- Item 39 – Communities and Neighbourhoods Portfolio
- Item 46 – BHCC Budget EIAS Mitigating Action Update

36 PUBLIC INVOLVEMENT

36a Petitions

36.1 There were none.

36b Written Questions

36.2 There were none.

36c Deputations

36.3 There were none.

37 MEMBER INVOLVEMENT

37a Petitions

37.1 There were none.

37b Written Questions

37.2 There were none.

37c Letters

37.3 There were none.

37d Notices of Motion

37.4 There were none

38 NEIGHBOURHOODS AND COMMUNITIES PORTFOLIO - PROPOSED FIELD OFFICER ROLE BUSINESS CASE

- 38.1 The Committee considered a report of the Executive Director Neighbourhoods, Communities and Housing which set out the Business Case for a new Field Officer role. The report was introduced by the Environmental Health Manager.
- 38.2 Councillor Cattell said that it was a fantastic initiative and good for residents.
- 38.3 Councillor West welcomed the idea, and thought it was sensible that there would be officers who would undertake visits to relieve pressure on experienced staff who would be more effective in the office. However, he was concerned at how well it would work. He was worried that late-night noise patrol would be replaced by officers who worked no later than 8pm, and felt that the public had an expectation that if there was a noise issue late at night that someone would be available to investigate, and was concerned that the ability to undertake the role relied heavily on mobile IT equipment working and there were frequent times when that didn't happen. Councillor West said that he thought the administration were rushing the matter through and suggested that the matter be deferred whilst a pilot scheme was undertaken. He said that at present the Green Group could not agree the report's recommendations. The Executive Director Neighbourhoods, Communities and Housing said that there hadn't been a pilot scheme as no two areas within the city were the same and so if it was undertaken in one area, it would then be necessary to undertake a pilot in the next area. With regard to the late night patrol, it could be dangerous and the Council were responsible for their staff's welfare.
- 38.4 Councillor A Norman referred to 'party houses' which frequently had complaints over noise, and asked if that was something which would be covered by Field Officers. The Environmental Health Manager said that the Council had a number of digital recorders which could be put into properties which were regularly the subject of complaint, to record the noise levels. The Council would then be able to assess whether there was a statutory nuisance.
- 38.5 Councillor Simson said that she was initially supportive of the proposals, but said that there were a number of outstanding issues which needed to be resolved, and she was concerned that the role of Field Officers was so wide that they would not be able to fulfil all their duties. In response to questions raised by Councillor Simson, the Executive Director Neighbourhoods, Communities and Housing advised the Committee that there

would be no additional funding taken from the HRA account, but the money would be a virement from the existing budget; the underspend came from vacancies within Regulatory Services; the Field Officers would not duplicate the work of 3GS, and would work across the city and at weekends which 3GS did not do.

- 38.6 Councillor Bewick supported the recommendations, and said that the Field Officers would be able to investigate many of the issues which concerned residents. In response to a question raised by Councillor Simson, the Executive Director Neighbourhoods, Communities and Housing, advised the Committee that it was anticipated that there would be revenue generated from enforcement, but at the moment it had not been decided whether that money would go back to the host service or the service the issue related to.
- 38.7 Councillor K Norman said that he agreed with some of the comments from Councillor West.
- 38.8 The Chair noted that some members of the Committee had concerns over the feasibility of the role of Field Officers, and was concerned that members appearing to not be supportive of the initiative. Councillor A Norman said that the report was detailed, but there were still a number of issues which Councillors needed further information on.
- 38.9 Councillor A Norman proposed that the report was deferred to the NICE Committee meeting in January 2018, when a more informed decision could be made. The proposal was seconded by Councillor West. The Committee agreed.
- 38.10 The Chair suggested that the Environmental Health Manager meet with members of the Committee prior to the January meeting, to discuss the proposals with them in more depth.
- 38.11 **RESOLVED:** That the report be deferred to the meeting of the Neighbourhood, Inclusion & Equalities Committee due to be held on 22 January 2018.

39 COMMUNITIES AND NEIGHBOURHOODS PORTFOLIO

- 39.1 **RESOLVED:** That the Committee noted the progress of the Communities and Neighbourhoods Portfolio

40 COMMUNITY ASSET TRANSFER POLICY

- 40.1 The Committee considered the report of the Executive Director, Economy, Environment & Culture, and the Executive Director, Neighbourhoods, Communities & Housing which sought endorsement of the adoption of a Community Asset Transfer (CAT) Policy, prior to the arrangements being presented to Policy, Resources & Growth Committee for approval. The report was introduced by the Assistant Director Property and Design, and the Head of Community and Equalities.
- 40.2 Councillor Cattell said it would be good to have the current ad hoc arrangements for considering applications for the transfer of council assets to third sector organisations formalised, and supported the adoption of the CAT Policy.

- 40.3 Councillor Simson asked if the new policy would only apply to new applications, and whether existing leases would be amended. The Assistant Director Property and Design said that the policy would not be retrospective and so existing arrangements would remain in place.
- 40.4 Councillor Simson said that if an asset was already being used by one organisation but another organisation had a better use for it, could it be transferred. The Assistant Director Property and Design said that all applications would need to be supported by a business case and would be carefully looked at. The Head of Community and Equalities referred to page 18 of the Policy which gave an option for an asset to be shared with another organisation.
- 40.5 Councillor West welcomed the policy to guide organisations and would support the recommendations. He noted that for leaseholds and freeholds where the transfer was over £250K, it would come to committee for a decision, but for transfers less than that it would be considered under officers delegated powers. There was no right of appeal against any decision, and was concerned about transparency particularly when there were competing bids for an asset, and suggested it would be preferable for more applications to be considered by committee. The Asset Management Board will be asked to look at how this was going each year, and suggested that they could also look at cases where organisations were unhappy with an officer's decision. The Assistant Director Property and Design said that officers had delegated powers up to a limit, and agreed that it was important to have an open and transparent process. In all applications ward councillors would be consulted, there was a complaint process if needed and all decisions would be referred to the Asset Management Board.
- 40.6 Councillor Moonan welcomed the report which she felt clarified the existing process. Councillor Moonan asked firstly if assets would be advertised, and secondly whether a lease could be revoked if it was felt that an organisation had strayed from their initial business plan. The Assistant Director Property and Design said that all assets would be advertised, if it was felt that the business plan was not being followed, the Heads of Terms would be reviewed to see if they were being used as expected. If they weren't they would be reviewed, and if necessary the lease could be revoked but hoped that any concerns could be resolved before that would happen.
- 40.7 Councillor Peltzer Dunn referred to the Financial Implications in the report, and asked if requirements of the detailed business case would also apply to freehold properties. The Assistant Director Property and Design said that most transfers would be for leaseholds, but if there were a transfer of a freehold it would need to be considered by committee.
- 40.8 Councillor Peltzer Dunn said that when the Council sold a freehold it must be sold at best value, but if an organisation wanted to purchase a freehold and they were paying less rent, it would reduce the value of the property. The Assistant Director Property and Design said they would look at the whole freehold and judge it against a market value at that time.
- 40.9 **RESOLVED:** That the Committee recommended adoption of the Community Asset Transfer Policy to the Policy, Resources & Growth Committee.

41 COMMUNITY PROTECTION NOTICES

- 41.1 The Committee considered the report of the Executive Director, Neighbourhoods, Communities & Housing which sought approval to use Community Protection Notices as part of the remedies available to officers to tackle anti-social behaviour in the city. The report was introduced by the Head of Community Safety.
- 41.2 Councillor Moonan asked whether the Community Protection Notice (CPN) would be issued to a tenant or a landlord if an incident occurred in a rented property. The Head of Community Safety said that it would depend on who the perpetrator was.
- 41.3 Councillor Phillips said that she was concerned how it would be applied, and wanted assurance that officers wouldn't be over zealous and would allow people the opportunity to rectify a situation before a CPN was issued. The Head of Community Safety said that all actions would be proportionate, and this was not intended to be an income generation scheme. Before a CPN could be issued a warning letter would be issued, and enforcement would not be taken unless other steps taken were not effective.
- 41.4 Councillor Cattell was aware that 3GS, had taken enforcement action as soon as an incident was noted, and hoped that that wouldn't happen here and that officers would be fully trained. The Executive Director, Neighbourhoods, Communities & Housing confirmed that all enforcement action taken would be proportionate, and rather than issuing a fine straight away steps would be taken to resolve the situation first.
- 41.5 **RESOLVED:** That the Committee approved the use of Community Protection Notices in accordance with Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

42 OXFORD COURT PUBLIC SPACE PROTECTION ORDER

- 42.1 The Committee considered the report of the Executive Director, Neighbourhoods, Communities & Housing which set out concerns around the criminal and anti-social behaviour taking place in and around the alleyway linking Oxford Street with the Oxford Court Carpark. The Committee were asked to consider the value of a Public Space Protection order authorising a gating scheme closing the alley to general access as a remedy to those concerns. The report was introduced by the Environment Improvement Officer.
- 42.2 Councillor West said that the alleyway provided no useful service for access, and contributed to anti-social behaviour in the area. He said he would support the consultation, and if it were later agreed to install gates he would commit part of his ward budget to assist with the funding.
- 42.3 **RESOLVED:** That the Committee approved a statutory public consultation on the draft Oxford Court Public Space Protection Order.

43 DOMESTIC VIOLENCE AND ABUSE (DVA) AND SEXUAL VIOLENCE (SV) BUSINESS IMPROVEMENT REVIEW

- 43.1 The Committee considered the report of the Executive Director Neighbourhoods, Communities & Housing, which provided an update on the review of the response to Domestic Violence and Abuse (DVA) and Sexual Violence (SV), which was proposed to

the Committee in November 2016. The report was introduced by the Strategic Commissioner Domestic Abuse & Sexual Abuse and the Head of Community Safety.

- 43.2 Ms A Sasidharan welcomed the report and was pleased to note that stalking had been given a higher profile. Ms Sasidharan referred to paragraph 3.4 of the report and was concerned that female genital mutilation (FGM), forced marriage and honour based violence which was described as being of 'lower prevalence', and suggested that there was in fact significant under reporting on those issues. Ms Sasidharan noted that domestic abuse concerning BME people was not mentioned on the Rise website. The Strategic Commissioner Domestic Abuse & Sexual Abuse apologised for describing some incidents as having lower prevalence, and said it referred to the totality of those incidents reported compared to domestic violence. He accepted that the wording was clumsy and would be changed. With regard to Rise he they had been working with the organisation and their website would be amended by the end of the year.
- 43.3 The Chair asked if there were any organisations which the Council should meet before the January meeting to ensure that there was progress made on BME issues. Ms Martindale suggested the International Network of Women, and the Head of Community Safety advised that the Council already worked closely with them so could do that. The Chair suggested it would be useful if the members of the Committee could be sent an update on any progress.
- 43.4 Ms Martindale noted that on those women deemed as high risk received immediate access, and asked how long those identified as medium risk would have to wait to access the service. The Strategic Commissioner Domestic Abuse & Sexual Abuse said that those deemed as high risk would be contacted within forty-eight hours particularly if you had contacted the police, and if you were standard risk you were likely to be contacted by Victim Support very quickly, but it was the medium risk cases where there was a problem and a person could wait up to six weeks. Rise had been looking at this and had reduced that time. Councillor Cattell said that she volunteered with Rise and confirmed that the backlog had been cleared and the waiting time had reduced.
- 43.5 Councillor West said that the increase in DVA and SV was very worrying, and although some of that increase could be down to encouraging people to report the abuse, and better data collection there was also a rise in violent crime nationally. It was clear from the report that there was insufficient capacity to address the need and it was vital that that was addressed. He said that it was important the Council find more money to support the service, and asked the Administration to do that. The Chair said that the Administration had protected the spend in the area, and had put more money in.
- 43.6 Councillor Peltzer Dunn referred to paragraph 3.23 which seemed to contradict recommendation 2.2. The Strategic Commissioner Domestic Abuse & Sexual Abuse said that paragraph 3.23 relates to the internal officers group who would be working on the implementation plan, and recommendation 2.2 refers to that implementation plan coming back to committee.
- 43.7 **RESOLVED:** That the Committee –
- (i) Noted the report

- (ii) Noted the proposals to develop an implementation plan and agreed that the report on progress be brought back to the Committee for consideration
- (iii) Notes the work being undertaken by the Safe in the City Partnership in relation to the refresh of the local Violence against Women and Girls Strategy and agreed that the strategy should be brought back to committee for its consideration.

44 SOCIAL IMPACT BOND - ENTRENCHED ROUGH SLEEPERS

- 44.1 The Committee considered the report of the Executive Director Health & Adult Social Care which provided an update on the development of the Social Impact Bond funding for work with entrenched rough sleepers, following a successful bid to the Department for Communities and Local Government.
- 44.2 Councillor Simson was concerned that no bids had been received for Brighton and Hove, and asked if officers knew why that might have been. The Commissioning and Performance Manager said that the Council had worked with a lot of providers, but over time they had fallen away and now only a couple were left. None of the providers could deliver the work without a social investor, and none had been forthcoming. However, it was hoped to have a service in place by January 2018, as it was possible that a potential investor had now been identified.
- 44.3 Councillor Bewick understood why charities did not want to have to provide all the funding, and asked if there was a way for the the Council's capital reserves could be used in the future to bank roll the risk. The Commissioning and Performance Manager said that there had been initial discussions about the Council providing some money but there wasn't sufficient time within the DCLG framework to do that at the moment.
- 44.4 **RESOLVED:** That the Committee noted the report.

45 FAIRNESS COMMISSION PROGRESS UPDATE

- 45.1 The Committee considered the report of the Executive Director, Neighbourhoods, Communities & Housing which provided an update on activity against the recommendations of the Brighton and Hove Fairness Commission as agreed at the NCE (now called NICE) Committee in November 2016. The report was introduced by the Head of Equalities and Communities.
- 45.2 Councillor Simson said she was disappointed that there hadn't been more progress on street furniture, noting that the only action having been taken was the introduction of a new IT system for skip and scaffolding companies. The Head of Equalities and Communities accepted dealing with street furniture was a challenge, but said that through the new IT system the process was more streamlined and that there were now more officers out on the streets trying to enforce any obstructions which there wasn't a permit for.
- 45.3 Councillor West said that public transport had been identified as being important to increasing accessibility, and thereby providing fairness to people in the city. He was pleased that many of the recommendations of the Fairness Commission were being

implemented, but wanted to ensure that the all parties continued working together to continue to do that.

45.4 Councillor Bewick thanked officers for the report and the update on progress made on the Fairness Commission's recommendations, and noted the cross party support for the issues covered particularly the Children's Centres, Care Leavers Trust and Apprenticeships.

45.5 **RESOLVED:** That the Committee

- (i) Noted the activity taking place in relation to the recommendations of the 2016 Brighton and Hove Fairness Commission as set out in appendices 1 and 2 to the report.
- (ii) Supported a partnership event hosted by the city's Equality and Inclusion Partnership, to share the work of the city council and all partners against the findings and recommendations of the Fairness Commission (2016).
- (iii) Agreed to reconvene the cross party member working group to review and determine further priorities for focus.

46 BHCC BUDGET EIAS MITIGATING ACTION UPDATE

46.1 **RESOLVED:** That the Committee noted the report.

47 ITEMS REFERRED FOR FULL COUNCIL

47.1 There were none.

The meeting concluded at 7.35pm

Signed

Chair

Dated this

day of

