

**BRIGHTON & HOVE CITY COUNCIL**  
**TOURISM, DEVELOPMENT & CULTURE COMMITTEE**

**4.00pm 21 JUNE 2018**

**COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ**

**MINUTES**

**Present:** Councillor Robins (Chair) Councillor Platts (Deputy Chair), A Norman (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Cattell, Mac Cafferty, Mears, Morris and Nemeth

**PART ONE**

**1 PROCEDURAL BUSINESS**

**1(a) Declarations of substitutes**

1.1 There were none.

**1(b) Declaration of interests**

1.2 Councillor Platts declared a non-prejudicial interest in Item 7c.

1.3 Councillor Platts declared a non-prejudicial interest in Item 9 and was advised by the Lawyer that she could vote on the matter.

**1(c) Exclusion of the press and public**

1.4 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).

1.5 **RESOLVED-** That the press and public not be excluded.

**2 MINUTES**

2.1 **RESOLVED-** That the minutes of the previous meeting held on 19 April 2018 be approved and signed as the correct record.

**3 CHAIRS COMMUNICATIONS**

3.1 The Chair provided the following communications:

“I am pleased to report that the Brighton & Hove Living Wage Campaign reached an important milestone of signing-up 400 employers to the campaign. I’m delighted that Brighton & Hove Chamber of Commerce, probably the only private sector led Living Wage Campaign in the country, has been so successful in achieving this milestone which has led to over 3,000 salaries in the city being increased as a result. People need to be able to afford to live in the city, and businesses, charities and public sector organisations need staff, so the Brighton & Hove Living Wage is essential in making the city affordable, ensuring our economy works, and tackling the inequalities that hold too many people back. Brighton & Hove City Council has funded the campaign since it started and is working with the Chamber to get even more businesses to sign up to the campaign and help to create more sustainable jobs.

This year’s Brighton Festival and Brighton Fringe have drawn to a close. Brighton Festival was directed by David Shrigley; the first time a Brighton resident has taken the Guest Director role and enabling him to be involved in more of the programme. This programme had more opportunities than ever for people to get involved, including 12,500 taking part in David Shrigley’s life drawing class installation, Life Model II at Fabrica, 200 residents joining Over 60’s dance company Three Score Dance to create The Nelken Line promenade on the seafront, and 150 budding performers in the overnight choral sleepover The Arms of Sleep. There were many free events, which coincided with the good weather, to produce good audiences for outdoor events. Your Place had its second year in Hangleton and East Brighton. A large number of commissions, together with an extensive programme of international work across a variety of sites, were also featured.

The Brighton Fringe, this year partly funded by crowd-funding, featured over 200 free events, as part of its varied programme. Building on its partnership with the Netherlands in 2017, the 2018 festival was a partnership with the Finnish Embassy and the Fringe is looking to increase its international relationships for the future. The Fringe recognised 23 acts through sponsored awards, giving them a boost for the future and ran capacity-building activity for artists including supported the city’s Arts & Creative Industries Commission with professional development for artists out of the mainstream.

Consultation is under way concerning the Royal Pavilion Gardens. Over 1,000 people have taken part in the consultation to date of whom almost 90% responding are Brighton & Hove residents, and over 80% are regular users of the garden. To date the majority of respondents feel that the proposed new perimeter arrangements are sympathetic to its history, which is a key concern of Historic England. With marginally more respondents against shutting the garden at night than in favour. In terms of focus for action, the top four priorities are improving Infrastructure for rubbish collection & recycling, lighting, lawns and hardstanding around the café and the Prince’s Place entrance. Hearteningly, over 100 people have already expressed an interest in volunteering to help with garden projects.

At Brighton Museum & Art Gallery, Artist Rooms Gilbert & George is currently on show at Brighton Museum & Art Gallery until 2 September. Alongside this the Be Bold programme a series of collaborative exhibitions and events, programmed with Brighton & Hove’s LGBTQ communities continues. On June 30 Queer Looks, a display of outfits and oral histories from LGBTQ individuals from Sussex from the 1950s to present day

opens. Local LGBTQ communities have informed the content of the display which is a collaborative project with the Centre for Fashion Curation at the London College of Fashion. Work continues on the restoration of the Saloon in the Royal Pavilion and will be complete and reopened to the public in September.

As part of a partnership with the TV and screen sector, the Council led the drafting and submission of the city's bid to become a Creative Hub under Channel 4's "4 All the UK" process. Channel 4 is looking to create three new hubs, based initially on commissioning of programmes, one of which will be a second national HQ with a high specification studio, and then later to create three News hubs. This process is to create a more evenly-distributed public TV sector across the country and, in particular, to move jobs out of London to stimulate creative economies in other cities. Brighton & Hove has successfully been shortlisted as a possible Creative Hub which would attract an initial 40 jobs, increased local programme commissioning and opening up careers in the industry through potential partnership approaches to skills. Our competition includes the cities which have bid to be the HQ (and will still be considered for the Creative Hubs) and smaller cities who are just competing for the Hubs – 13 cities in total. The next stage of the competition will be a site visit from the Channel 4 senior team, which will take place before the end of July, and the outcome will be known on 1<sup>st</sup> October. Key criteria for the scheme include availability of state-of-the-art facilities ready in time for the proposed move in 2019, connectivity (physical and digital), proximity to a well-developed screen sector, and quality of life. Further factors include the environment, diversity and educational strengths.

Visit Brighton has hosted 25 journalists since Jan 2018 to date which so far resulted in coverage in The Telegraph, The Independent, The Metro and Waitrose Magazine, and has engaged with 60k followers on Twitter, 24k friends on Facebook and 11.5k followers on Instagram. The Brighton Centre has received and processed 31 conference enquiries, and confirmed 12 conferences for the city that will generate over £1.3m in economic benefit.

Luna Beach Cinema located a Screen on the Beach adjacent to Madeira Drive opened to the public on 14th June, with the opening ceremony of the World Cup, live from Russia. The 10m screen is the highest definition outdoor screen in the country will play host to 40 football matches this summer, with tennis live from Wimbledon and the British Grand Prix, as well as 32 films including this year's Oscar winners alongside a range of titles designed to appeal to a family audience. The event employs up to 85 people, the majority of which come from Brighton & Hove and the surrounding area. As well as the benefit for local providers of accommodation and event facilities such as toilets, power and fencing, all the on-site concessions are being run by local businesses, with two food providers and a brand new beach bar being operated and managed locally. Luna Beach Cinema are welcoming up to 4000 people a day on the site to enjoy a fantastic summer of big screen entertainment.

The Great Escape Festival for new music celebrated its thirteenth annual event in the city in May 2018. The four-day event sold more tickets than ever before during the biggest festival and conference to date with a record number of 61 venues and 18 networking events. The festival attracted 4500 delegates from 52 nationalities with 450 artists giving over 700 performances that generated 16500 attendances. The Great Escape also successfully launched the new Beach site which saw attendances of 1500

festival goes consistently throughout the weekend. The festival generated extensive national media coverage including live broadcasts on BBC Radio, together with print coverage in the Times, Telegraph, Independent and Guardian. The festival has developed significantly over the years to now be one of the leading music festivals in the country.

I was really pleased to attend the launch of the Hove Plinth in April. This project has been a great success, and I have had further meetings with the Hove Civic Society to discuss the possible sculpture trail.

I attended the launch of the new Choir With No Name Brighton. Choir with No Name has branches already in other cities, and is launching here in partnership with Brighton Housing Trust. The Choir with No Name offers marginalised members of the opportunity to come together and be part of a really positive activity. The launch was a very moving event. Nancy and I have also met with the chair of the Blue Plaque Committee and Jean Calder to discuss commemorative plaques to celebrate Brighton's links with the women's suffrage movement and I am pleased to confirm that the Blue Plaque Committee has supported a proposal for an informative plaque to be placed at the North Street Quadrant where one of the first branches of the Women's Social and Political Union had their Head Quarters, and separate plaques to be placed on the Brighton homes of three prominent women campaigners Clementina Black, Minnie Turner and Elizabeth Robins.

I have also had a meeting with Brighton and Hove Area Cricket Hub, who represent local cricket teams working in partnership with the County Cricket Club, to support and develop grass roots cricket in the city.

I'm pleased to report that on 18 June Policy, Resources & Growth Committee gave the go-ahead for the council to enter into a land deal that will help realise our City Deal outputs for New England House. The land deal involves the council issuing a new lease to Legal & General on the Longley Industrial Estate, subject to Legal & General receiving planning permission for its development proposal.

The deal should net the council a substantial premium, that will be combined with our existing City Deal grant of £4.9 million to help pay for refurbishment and extension works to New England House. The combination of the two developments will secure key outputs of the City Deal. It will help provide over 7,000 square metres of employment floorspace across the two sites, as well as over 200 units of much-needed housing. We look forward to monitoring the progress of both these projects.

The Greater Brighton Economic Board has commissioned Adur and Worthing Councils' Communications Team to lead on all communications and promotional activity of the Board from the start of June, marking a step change in the level of communications support to be provided to the Board. This is because there is a great deal of positive news to report, such as securing funding for large infrastructure schemes to increase residential housing and employment space in the Greater Brighton region, but that there is not enough awareness of the Board and its activities. This new and enhanced contract presents an opportunity to raise the profile of the Board and its Investment Programme and this will be done through the establishment of new social media platforms, a new focus on the website and the sharing of news stories. The Greater Brighton Comms team will also work closely with the Board Chairman to agree a media plan of events and visits to ensure a positive, front foot story telling position. Many of the projects and areas of work that this committee covers are assisted by funding that the Economic Board has helped to secure, so I look forward to working with the new

Greater Brighton Communications Team to promote the impact that the Board is having across the whole of the city region”.

#### **4 CALL OVER**

4.1 The following items were reserved for discussion:

- Item 8: Report on Hove Library Planning Application
- Item 9: Draft City Plan Part 2
- Item 10: Use of Plastics on and within building in Brighton & Hove
- Item 11: Housing in Multiple Occupation
- Item 12: Urban Design Framework Supplementary Planning Document issues & Options
- Item 13: Beach Huts – Licence terms & conditions
- Item 14: Snow Wonder – outdoor events
- Item 16: Major Projects Update

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

- Item 15: Building Control Fees & Charges

#### **5 PUBLIC INVOLVEMENT**

##### **(B) WRITTEN QUESTIONS**

5.1 Jim Dean put the following question:

“The City Plan Part 1 has a minimum target of 13,200 new homes to be provided by 2030. This compares with ‘objectively assessed housing need’ of 30,120, leaving a shortfall of nearly 17,000 homes. There is a sharp increase in rough sleepers, people living in vans, caravans, boats and tents - all the hostels are full. It is now time for a new strategy to deal with this crisis and an emergency plan put into place to support those working 7 days a week to support the most vulnerable? Does the Chair agree that a crisis meeting be called immediately?”

5.3 The Chair provided the following response:

“The adopted City Plan Part One sets a housing delivery target of at least 13,200 new homes by 2030. This compares with the city’s objectively assessed housing need/demand of 30,120 (as established June 2015). It should be noted that the objectively assessed housing need/demand figure is largely based on projected household growth for the city up to 2030 and is not directly comparable to the city’s need for affordable housing or for specialist / supported forms of accommodation. During the City Plan Part One formal examination the Planning Inspector accepted that the city simply does not have sufficient space to accommodate the 30,120 objectively assessed housing need/demand figure but recommended that the council look positively for all opportunities to meet and, if possible, exceed the 13,200 figure. The council strongly supports housing delivery in the city of all forms. The second part of the City

Plan (City Plan Part Two) will set out additional planning policies which will help to deliver more housing both for general housing needs and for specialist and supported housing needs. Consultation on the draft City Plan Part Two is planned for this summer (pending this Committee's support today) and I would urge you to respond.

The challenge of meeting the city's need for more affordable housing is also being addressed through a range of initiatives that go beyond planning policy. Examples include the council's £118m Joint Venture which will deliver 500 homes for rent for working Brighton & Hove residents on low incomes, and 500 shared ownership homes affordable to buy for Brighton & Hove residents on average incomes. The council's New Homes for Neighbourhood programme is delivering council owned rented accommodation on council sites and the Hidden Homes initiative converting unused space in existing blocks to create additional affordable rented housing.

We hugely value the contribution of those working with the homeless and vulnerable in the city, as organisations and individuals are very passionate about the needs of those in housing crisis or housing need. Many of these organisations and individuals contributed to the Rough Sleeper Strategy, and delivery against this is being carried forward through the Rough Sleeper Strategy Board, which meets quarterly. Work with organisations and the community is also happening as part of the regular meetings and activities of Galvanise. Work is also happening through the Community Action Group for Homelessness, which meets regularly including earlier today, and which includes over 20 representatives from community action groups and homelessness service providers. So there is urgency about homelessness locally and as I have just explained there are a number of forums where we are working together collaboratively and we are having a beneficial impact for those suffering from homelessness. I have ensured that Cllr Moonan is aware of the question you have put today."

- 5.4 Mr Deans did not have a supplementary question but asked if his question could be repeated at the next Full Council Meeting.
- 5.5 The Executive Director, Economy, Environment & Culture advised that as the Council's Constitution did not allow the same question to be asked so it would not be possible to resubmit the same question.

## **(C) DEPUTATIONS**

### **(i) Article 4 Direction for East Brighton Area**

- 5.6 The Chair stated that he would take both the deputation on HMOs and the Letter received from the East Brighton Councillors – Item 7c in the agenda together due to the similarity in subject matter.

- 5.7 The Committee considered a deputation requesting East Brighton be given an Article 4 Direction.

### **(i) Article 4 Direction for East Brighton- Councillors Mitchell, Morgan & Platts**

- 5.8 Councillor Mitchell presented the Letter request an Article Four Direction for East Brighton to be implemented as a matter of urgency..

- 5.9 The Chair provided the following response:

“I recognise and note the concerns of residents relating to changes of use to HMOs in East Brighton.

In order to justify an extension to the existing Direction, considerable evidence gathering needs to be carried out to demonstrate that ongoing use of the existing permitted development rights would cause potential harm to the area. A report is being considered at this Committee today with recommendations to support such an evidence gathering exercise to assess the impact of HMOs in areas of the city outside the existing Article 4 Direction area. A report would then be brought back to this Committee by the end of the year for discussion and decision”

5.10 **RESOLVED:** That the Committee note deputation and Letter.

## **6 ITEMS REFERRED FROM FULL COUNCIL**

### **(A) PETITIONS**

#### **i) Single use plastics at events**

6.1 The Committee considered a petition signed by 1142 people and referred from the meeting of Full Council held on 19 April 2018 requesting that licences require events to be free from single-use plastics.

6.2 The Chair provided the following response:

“I’ve spoken with officers and have had it confirmed to me that a report will be received by the Policy, Resources & Growth Committee in July on Phasing out of Single Use Plastics. That report will encompass the requests made in this petition and the amendment agreed at Full Council about events and I will ensure a copy of that report is circulated to yourself and the members of this committee once it is published. Subject to the recommendations of that report, there may be further matters for this committee to consider and I will ensure Members are kept abreast of developments on this important issue as things progress.”

6.3 **RESOLVED:** That the Committee note the petition.

#### **(ii) Hove Carnegie Library**

6.4 The Committee considered a petition signed by 22 people and referred from the meeting of Full Council held on 19 April 2018 requesting that the recent planning application for Hove Library be halted immediately.

6.5 The Chair provided the following response:

The concerns set out in the petition are noted. There is an item on the agenda that addresses the concerns about the planning application process and this will be discussed later by Members.

6.6 **RESOLVED:** That the Committee note the petition.

### **(B) DEPUTATIONS**

**(i) PVP St James' Street**

6.7 The Committee considered a deputation referred from the meeting of Full Council held on 19 April 2018 requesting the PVP Street Party be moved to Madeira Drive.

6.8 The Chair provided the following response:

“Thank you for your deputation regarding the Pride Village Party. We are in the process of beginning a review of the PVP, and are currently working with colleagues in the police, Fire Service and with Pride CIC to agree the scope of the review. We will be looking at whether the PVP could be moved and if so, where to. We will be looking at the impact of the PVP on the local community, on Pride CIC and on local businesses. Whilst we cannot yet say what the outcome will be, we will ensure that residents are fully involved in the review and the outcome will be reported to the relevant committee”.

6.9 **RESOLVED:** That the Committee note the deputation.

**(ii) Music Venues**

6.10 The Committee considered a deputation referred from the meeting of Full Council held on 19 April 2018 on music venues in the city.

6.11 The Chair provided the following response:

“Thank you for the deputation and the comments made therein. In relation to your specific request, I will be arranging to meet with Howard Barden, Head of Tourism and Venues and his team at Visit Brighton, to see what more we can do to further promote local music through their online and social media presence and other destination marketing campaigns.”

6.12 **RESOLVED:** That the Committee note the deputation.

**7 MEMBER INVOLVEMENT****(B) WRITTEN QUESTIONS**

7.1 The Chair noted that eight questions from Members had been received and that the formal responses to the questions had been published in the Addendum and invited supplementary questions.

**(i) Waterfront - Councillor Mac Cafferty**

7.3 Councillor Mac Cafferty questioned what the Council's position would be, if Standard Life withdrew and the land agreement was not agreed in the future.

7.4 The Executive Director Economy, Environment & Culture replied that negotiations were proceeding well and that the agreement was expected to be signed off in September therefore it was unlikely that this situation would occur. He also concluded that in the



unlikely event of this occurring, the Council would carry out a review of all options available.

**ii) Rail - Councillor Mac Cafferty**

7.5 Councillor Mac Cafferty questioned whether the Council could ensure that there would not be any significant delays to the rail service to and from Brighton for the key events coming up in Brighton, such as the first week of the school summer holidays and Pride.

7.6 The Chair replied that Mr Kyle MP had taken the lead and received a response from Govia Thameslink Railway - GTR on the issue concerning Pride confirming that they understood the importance of train transport to the event. Pride Operations had also confirmed their involvement with Govia regarding the provision of longer trains and extra buses to transport the public to the campsite at Waterhall in addition to Seagull Travel's buses to transport people to and from the park. The Chair concluded that transport for this event should be uneventful.

**iv) King Alfred - Councillor Nemeth**

7.8 Councillor Nemeth asked why the costs incurred by the development had not yet been reviewed by key officers and whether it could be reviewed.

7.9 The Assistant Director - City Development & Regeneration, responded that he would provide an estimate subsequent to the meeting.

**v) Planning Enforcement - Councillor Nemeth**

7.10 Councillor Nemeth asked why the planning enforcement was not improving.

7.11 The Head of Planning acknowledged the figures and confirmed that they were working hard to put this into action and that they would bring the issue to the TD&C committee in September and also a new role of permanent officer would be added.

**vi) Marlborough House - Councillor Nemeth**

7.12 Councillor Nemeth asked for clarity on the link between the two outstanding enforcement notices and granting of appeal and whether there would be action on retrospective planning enforcement.

7.13 The Head of Planning confirmed there were three different issues in this question: firstly, the retrospective planning consent where the appeal had been overturned and whether they had the right to appeal. There were also two further issues within the building and she confirmed that she would research these and bring the answers to a future committee meeting.

**D) NOTICES OF MOTION**

**i) Hove Library Planning Application**

7.14 The Committee considered a Notice of Motion referred from the Full Council meeting of 19 April 2018 that make objections to the recent Planning Application process for Hove Library.

7.15 The Chair provided the following response:

“Our next item on the item on the agenda addresses the concerns about the planning application process and I’d suggest we move on to consider that report”.

7.16 **RESOLVED-** That the Committee note the Notice of Motion.

## **8 REPORT ON HOVE LIBRARY PLANNING APPLICATION IN RESPONSE TO THE NOTICE OF MOTION AGREED AT COUNCIL ON 19 APRIL**

8.1 The Committee considered the Report of the Executive Director Economy, Environment & Culture which had been prepared in response to the Notice of Motion agreed at full Council on 19 April. It set out how the listed building application at Hove Library was advertised and determined under delegated authority and a petition with 222 signatories was presented to the same meeting and referred to TDC. The report also considered how best to respond to the concerns of councillors and how all future applications should be determined by Planning Committee.

8.2 Councillor Mac Cafferty thanked Officers for the report and stated that he felt that the key learning point from the report was the importance of learning how to rebuild community trust.

8.4 Councillor Nemeth confirmed that the one thing the report did not reflect was the outcome of the site meeting that he and Councillor Wealls attended. There were areas of the library such as the cornices and covered parquet flooring that should be restored to its original glory.

8.5 Councillor Morris agreed that things had moved on and that it was a pity there were not more letters of objection and that it was a lesson for the community to be more involved in future.

8.6 **RESOLVED:**

- 1) That the Committee noted the background information on how the listed building application BH2017/03940 was consulted on and determined and that all future applications relating to Hove Library will be referred to Planning Committee for determination.
- 2) That the Committee requested that the cross-party Planning Committee Members’ Working Group considers the scheme of delegation and whether all planning and listed building applications made in respect of all or certain Council owned buildings should be determined by the Planning Committee.

## **9 DRAFT CITY PLAN PART 2**

- 9.1 The Committee considered a report of the Executive Director Economy, Environment & Culture which sought approval of the draft City Plan Part Two and supporting documents for a ten week consultation during July and September 2018.
- 9.2 Councillor Mac Cafferty asked that should the issue of finding a Gypsy and Traveller site in the City not be resolved, could this threaten the soundness of the Plan. In response, the Planning Manager answered that a robust site search exercise had already been undertaken with the South Downs Authority and that a suitable site had not been found. In 2014, the last gypsy and traveller accommodation assessment was undertaken, which was before the permanent pitches at Horsdean had been opened. She confirmed that these figures would therefore have to be revisited, since they had received recent information from the Council's Traveller Unit that the scale of traveller sites in city had now been significantly reduced.
- 9.4 Councillor Mac Cafferty asked about the local regulation of short term holiday lets such as AirBnB, in the light of London Boroughs local self-regulation. Officers responded that whilst London authorities under particular legislation could require planning permission if the use was over 90 days, for Brighton & Hove and other local authorities, under current governmental classification of the use of land, planning permission is not required for the change of use of a residential property to a short-term holiday let it is treated as a residential use. Whilst other European cities have introduced licensing systems to regulate short term holiday lets there is no current government legislation that would allow the council to introduce such a system. This is an issue that the Tourism All-Party Parliamentary Group is currently considering.
- 9.5 In response to Councillor Mac Cafferty's question on whether the Park and Ride Scheme was viable and likely to go ahead, the Planning Manager replied that that there was strong support for the Park and Ride during the City Plan Part Two Issues and Options Scoping Consultation in 2016 and that in response a criteria based policy has been included in the draft City Plan Part Two to facilitate Park and Ride during the period of the Plan.
- 9.6 Councillor Mac Cafferty asked about the change of use figure cited in the report and how this would work in terms of Permitted Development or PD rights and the Article 4 Direction since this appeared to be a very large figure. The Planning Manager replied that in terms of the Strategic Housing Land Availability Assessment (SHLAA ) update, they had been monitoring the change of use figures which were reported annually and that there was a potential to look at the Article 4 direction and whether it could be extended but that there would be a resource implication.
- 9.7 In response to Councillor Mac Cafferty's question of the question of the **Habitats Regulations Assessment** (HRA) cited in the report, especially in regard to a recent case in Ireland, the Legal Advisor confirmed that there had been a number of recent cases and the Council would need to take all relevant case law on board when proceeding with the City Plan Part Two.
- 9.8 Councillor Platts asked officers whether the percentage of affordable housing should be increased to more than 40% and she confirmed the importance of bridging gaps to build more family homes rather than converting properties to HMOs. The Planning Manager replied that CP20 has set a target of 40% affordable housing and this has already been

secured on urban fringe sites and that there was a good split between affordable rented and shared ownership accommodation. The Councillor confirmed that Policy had said there should be at least 50% family housing and that some sites have been identified as part of the Joint Venture. The Planning Manager replied that Council had control over sites that it owned but that they had limited power over privately owned land.

- 9.9 Councillor Cattell also thanked officers for the hard work that had gone into producing the CPP2.
- 9.10 Councillor Norman noted that great deal of work of officers in compiling the documentation and that many of her queries had been answered in the report. The Councillor noted the policy on park and ride and considered that Mill Road currently used on match days is not suited to park and ride.
- 9.11 Councillor Mears thanked Officers for this very comprehensive City Plan asked whether the urban fringe housing areas highlighted in the report, especially surrounding the A259 were sites which had no existing infrastructure to support them. The Planning Manager confirmed that there was a lot of information in the report and that this was at a consultation stage and therefore they were happy to talk with councillors about any issues and encourage responses. The Planning Manager acknowledged that there were concerns about the fringe sites and transport and air quality issues in terms of the infrastructure and also the importance of the issue of family homes.
- 9.12 Councillor Mears said that local hotels were concerned by the impact of AirB&B on the City and queried whether the Visitor Accommodation Study had picked up their concerns adequately. The Principal Planning Officer referred to Appendix 10 of the Visitor Accommodation Study which indicated how consultation with hoteliers had taken place and stated that it was in response to concerns with Short term holiday lettings the Visitor Accommodation Study had been commissioned which had informed the draft City Plan Part Two. The Planning Manager confirmed that that the Study highlighted the Council's current lack of power over the regulation of this issue.
- 9.13 Councillor Druitt asked how the Plan would maintain the character of the Old Town and the North Laines and ensure that small independent business developments are safeguarded in this shopping area. The Principle Planning Officer answered that within the Draft City Plan Part Two Policy DM12 stated there shouldn't be an amalgamation of smaller units and that this is an emerging policy in the Draft Plan which should help protect smaller units and creative workspaces in order to maintain the character of the central area of the City. The Planning Manager added that there should be a new management plan for the Old Town that would be brought to the Tourism Development & Culture Committee in September.
- 9.14 Councillor Druitt asked how the Council could future proof the City Plan Part 2 in order to cope with changes in future retail patterns of behaviour?. The Principal Planning Officer r replied that there were several policies within the Plan that addressed future proofing and gave examples of schemes such as: encouraging infrastructure to support low emission vehicles and supporting infrastructure for changing shopping habits and also further energy efficiency policies were being introduced.

- 9.15 Councillor Druitt asked how the Council could protect planning sites throughout the City in order to prevent smaller and micro businesses from being displaced. The Planning Manager suggested that the Councillor should come back to the Committee on this issue as part of a consultation exercise.
- 9.16 Councillor Norman asked whether the Plan would provide new accommodation for disabled residents and ex-Service personnel with local connections. The Planning Manager confirmed that the policies in the Plan would not assist these residents directly; however she confirmed that new properties requested that higher standards of accessibility were met including wheelchair accessible homes, but she was not sure of how these housing needs would be met within the Council's Allocation Policy.

9.17 **RESOLVED:**

That the Committee:

- 1) Noted the nature of representations made to the City Plan Part Two Scoping Consultation undertaken July - September 2016 (summarised in Appendix 2 with a full schedule attached to the Statement of Consultation placed in the Members' Rooms)
- 2) Approved the publication of the draft City Plan Part Two including proposed draft changes to the Policies Map; draft City Plan Part Two Implementation and 67 Monitoring Targets and the following supporting documents: the Statement of Consultation, Sustainability Appraisal, Habitats Regulation Assessment and Health and Equalities Impact Assessment for a ten week period of stakeholder and public consultation during July and September 2018, subject to any minor grammatical or editorial alterations that may be agreed by the Executive Director Economy, Environment & Culture
- 3) Approved the following studies: Urban Fringe Further Assessment Study –Ecology and Landscape and Archaeology (2015), Housing and Employment Land Study (2017); Brighton & Hove City Council & South Downs National Park Authority Gypsy and Traveller Accommodation Site Assessments (2017) Brighton & Hove Detailed Assessment (2017); Lyon Close, Hove Report of Design Workshop (2017); Brighton & Hove Visitor Accommodation Update Study (April 2018); Brighton & Hove Wildlife Sites Review (2018); Strategic Housing Land Availability Assessment update 2017; and Brighton & Hove CPP2 Energy Study (2018) as supporting evidence for the City Plan Part Two and other planning documents.

**10 USE OF PLASTICS ON AND WITHIN BUILDINGS IN BRIGHTON & HOVE**

- 10.1 The Committee considered the report of the Executive Director Economy, Environment & Culture which was originally presented to the Tourism Development & Culture Committee on 11 January 2018 to respond to the request within the Notice of Motion on the Use of Plastics on and within buildings in Brighton & Hove, and also responded from the point of view of the Planning and Building Control Service, and the main regulatory powers the council has over the building in the city.
- 10.2 On behalf of the Green Group, Councillor Druitt moved a motion to amend recommendations 2.1 and 2.2 as shown below in bold italics below:

- 2.1 That the council continue to promote the use of renewable materials and the re-use and recycling of building materials and to promote energy efficiency, water efficiency and waste minimisation **and commits to the exclusion of non-renewable building materials in plans drawn up after 2020, and to phasing out the use non-renewable building materials in council buildings altogether by 2023.**
- 2.2 That the council **promotes the use of alternative, sustainable construction materials, promotes the use of construction materials made from re-cycled plastics in order to tackle the circulation of plastic products at source, encourage best practice among applicants and developers of major applications through:**
- **requesting site waste is reused, recycled or recovered;**
  - **encouraging cooperation between contractors during the demolition, excavation and construction phases;**
  - **providing information for construction workers with respect to site waste management.**
- 10.3 Introducing the motion, Councillor Druitt said that he felt that sustainable materials should be used wherever possible and that it was better to use sustainable products in the first place, rather than those made from recycled plastics.
- 10.4 Councillor Mac Cafferty formally seconded the amendment and noted there was a long tradition of encouraging best practice in sustainable building and eco buildings in our City.
- 10.5 The Chair confirmed that as there were financial implications within Point 2.1 this would require a new report to be requested and asked the Executive Director of Economy, Environment & Culture to clarify this point.
- 10.6 The Executive Director of Economy, Environment & Culture confirmed that in order to implement the amendment in section 2.1, a report to the committee would be required.
- 10.7 Councillor Cattell said that there was a problem in finding suitable sustainable alternatives to a lot of building materials such as glass. She also raised the point that alternatives were often much more costly, such as wooden timber frames instead of PVC. She felt it was more important to meet the new Code 4 rather than try and source sustainable products.
- 10.8 Councillor Allen felt that the wording of the amendment was unclear and not satisfactory.
- 10.9 Councillor Mears felt that 2.1 was clear and that a report would give an in depth view and did not oppose the amendment.
- 10.10 The Chair confirmed that regarding wood vs PVC, old wood would preserve itself but pointed out that a lot of products required to preserve wood come in plastic containers and greater understanding of what the alternatives were was required.

- 10.11 Councillor Cattell questioned whether commissioning a new report would be a good use of officers' time.
- 10.12 Councillor Morris stated that he did not understand the point of the amendment and also stated that he felt that requesting a report was an unnecessary use of officer time.
- 10.12 Councillor Nemeth said the single use plastics issue should be handled separately. He also confirmed that the amendment was muddled but that the intention was sound, so he would support the motion.
- 10.13 Councillor Druitt proposed a further amendment to 2.1 as follows:

*2.1 That the council continue to promote the use of renewable materials and the re-use and recycling of building materials and to promote energy efficiency, water efficiency and waste minimisation **and requests a Report that considers and commits to the exclusion of non-renewable building materials in plans drawn up after 2020, and to phasing out the use of non-renewable building materials in council buildings altogether by 2023.***

- 10.14 The amendment was seconded by Councillor Mac Cafferty.
- 10.15 The Chair put the motion to the vote that failed.
- 10.16 The Chair put the recommendations as per the report to the vote that passed.
- 10.17 **RESOLVED:**

That the Committee approves:

- 1) That the council continue to promote the use of renewable materials and the re-use and recycling of building materials and to promote energy efficiency, water efficiency and waste minimisation.
- 2) That the council promotes the use of construction materials made from re-cycled plastics and also looks to increasing re-cycling rates for plastics more generally.
- 3) That the council focus capacity on the emerging work, following approved Notices of Motion to phase out use of 'single use plastics' through the council's own services and spend.

## **11 HOUSES IN MULTIPLE OCCUPATION (HMOS)**

- 11.1 The Committee considered the Report of the Executive Director Economy, Environment & Culture which summarised the current planning policy approach to HMOs in the city and made recommendations for future work relating to extending Article 4. The report was introduced by the Senior Planning Officer.
- 11.2 Councillor Mears welcomed the report and asked for confirmation that the Rottingdean Coastal ward would also be an area considered within the later report to committee. Councillor Mears stated that she had received an email from Black Rock Residents

Association to push for Article 4 as HMO's were already causing a lot of problems. The Senior Planning Officer confirmed that Rottingdean Coastal would be included in the Article 4 review.

- 11.3 Councillor Druitt welcomed the report, deputation and Letter from Councillors and stated that he felt this should be a citywide process and welcomed the change of direction, which appeared to have emerged with appointment of the new Council leader.
- 11.4 Councillor Morris welcomed report and referred to the identified breakdown of community cohesion on pages 31 & 33.
- 11.5 Councillor Mac Cafferty stated that he was mindful that there was a citywide HMO Direction, how this could be controlled properly, since the law would not support what the Council would wish to do on this issue. The Head of Planning replied that they had looked at evidence gathering and that it was unlikely there would be a citywide Article 4 evidence but confirmed there were pockets and that there would be complexities about implementing this. The Head of Planning confirmed that they would report back to the Committee at the end of the year on this matter.

11.6 **RESOLVED:**

- 1) That the Committee support an evidence gathering exercise to assess the impact of HMOs in areas of the city outside the existing Article 4 Direction area.
- 2) That, following the evidence review, a report be brought back to this Committee by the end of the year with a recommendation on whether and where to initiate the process of extending the Article 4 Direction that overrides the permitted development rights relating to changes of use from dwelling houses to small HMOs.

**12 URBAN DESIGN FRAMEWORK SUPPLEMENTARY PLANNING DOCUMENT ISSUES & OPTIONS**

- 12.1 The Committee considered the Report of the Executive Director Economy, Environment & Culture which provided an update on the Urban Design Framework Supplementary Planning Document to help deliver high quality design and place-making as part of future development in the city.
- 12.2 Councillor Mears welcomed the report and Councillor Mac Cafferty also thanked the Principle Planning Officer for her input.
- 12.3 Councillor Cattell also highlighted the point about spaces between buildings within the report and hoped they would get good feedback from the industry.
- 12.4 Councillor Morris agreed with Councillor Mac Cafferty regarding the Circus Street development, which he felt should not have been agreed. He stated that he hoped the guidance would encourage more unique and innovative design.

12.5 **RESOLVED:**

That the Tourism, Development & Culture Committee:



- 1) Agrees and gives authority to consult on the Issues and Options paper which will inform a full Draft Urban Design Framework Supplementary Planning Document;
- 2) Notes the background information provided in this report regarding the process for preparing the Urban Design Framework Supplementary Planning Document (UDF SPD); and
- 3) Authorises the Head of Planning make any necessary minor amendments to the Issues and Options paper prior to stakeholder consultation.

### **13 BEACH HUTS - LICENCE TERMS AND CONDITIONS**

- 13.1 The Committee considered a report of the Executive Director Economy, Environment & Culture which included a proposal to increase the beach hut transfer fee.
- 13.2 Councillor Nemeth confirmed that his ward had the highest number of beach huts in the city and he criticised the last minute way that Councillors had received the proposed new licence – with one working day allowed to pursue it and he also criticised the lack of consultation with beach hut owners. He confirmed that the last minute nature of receiving the draft licence had also revealed that there was a problem in the original proposal and that the previous licence did not allow for the sales tax. Councillor Nemeth confirmed that he would have preferred a proper briefing in advance so that the licence could offer a fresh start to the beach hut owners. He criticised the current wording, which he perceived as a threat. He also confirmed that he had three queries on the term “rightful owners” as it was used within the wording. He confirmed that he felt that the Item should be deferred in order for Councillors to consult with beach hut owners and fully consider the report.
- 13.3 The Chair confirmed that no threatening letters had been sent out and he asked the Executive Director Economy Environment & Culture who confirmed that all letters should be done in a non-threatening way and that the outcome sought was the same as before.
- 13.4 Councillor Mears seconded the motion proposed by Councillor Nemeth and highlighted the wording on page 137 point 7.2 and confirmed that under the Conservative administration the Council actually built beach huts and that there was an income received from them. She disagreed with the wording in this paragraph as it was a financial contract. She noted that this had been agreed in January and now supported the proposal to defer it.
- 13.6 Councillor Morris stated that he did not understand Councillor Nemeth’s objections to the licence itself. He criticised the phrase used on p. 137 which described a beach hut as a luxury item and asked Councillor Nemeth to clarify which parts he objected to.
- 13.7 Councillor Nemeth replied that there were small amendments to terminology that were required, where terms such as “paid in Advance” conflicted with “to be paid on 1<sup>st</sup> April “ and “paid in full” within the same document. Councillor Nemeth also confirmed that the document should require consulting with beach hut owners – which would be a small exercise for something that would last a long time. Councillor Nemeth also questioned whether this document had already been checked by the Council’s Legal department and the Senior Solicitor confirmed that it had been considered by a Property Lawyer.

- 13.8 Councillor Druitt referred to page 136 – Paragraph 7 and confirmed that the increase in the fee had already been previously agreed and that Brighton & Hove beach huts seemed to be good value and that the Council has realised the current contract did not allow them to implement the agreed increases.
- 13.9 The Executive Director Economy Environment & Culture confirmed that regarding the increases implemented by the Committee in January, he suggested that the committee could have a meeting to consult with beach hut owners and he would be happy to facilitate that.
- 13.10 Councillor Allen confirmed that in his opinion a beach hut was a luxury item. He confirmed there it would be positive to consult with the beach hut owners and that he said that his instinct was not to make a decision and therefore he was inclined to abstain.
- 13.11 Councillor Platts wanted clarification on the letter sent to beach hut owners and Item 5.1 and said that this would not take place in the 18/19 financial year. Councillor Nemeth replied that this referred to the Licence fee.
- 13.12 Councillor Platts also commented on the fact that she couldn't find anything about crushing beach huts within the report. She felt that the owners did have sufficient time to decide and make up their minds. The Head of Sport & Leisure and Jane Pinnock- the Seafront Estates Surveyor confirmed that initially a letter went out in early February as a result of the January committee, advising that the licence fee and the transfer fee would increase from April. It was pointed out that these letters went out several days too late. The Senior Solicitor also explained that if a hut was not removed – then under the current licence the Council has to give at least one months' notice to terminate the licence. Councillor Mears confirmed that this was agreed in paragraph 3.5
- 13.13 Councillor Morris confirmed that these are licenses and that owners would have to pay a transfer fee if the beach hut is sold on. The Seafront Estates Surveyor confirmed that this is true and Councillor Nemeth confirmed that the fee is £82. The Executive Director Economy, Environment & Culture confirmed that the Council did write to beach hut holders and then wrote a second letter confirming that they would not implement this until later in the year. So in terms of consultation, he confirmed that there had been no further letter since February.
- 13.14 The Head of Sport & Leisure confirmed he had received five to six responses including a reply from Callaway estate agents who wanted to clarify the rationale behind these changes and he confirmed that he had responded to clarify.
- 13.15 Councillor Cattell stated she was confused regarding paragraph 3.4 / 5 regarding disposal of the hut and she queried whether dispose meant destroy. The Head of Sport & Leisure confirmed that he was not aware of such action ever being taken as the value of the hut is generated by the location on the seafront – not the hut itself. Councillor Platts also questioned whether huts had been crushed and clarified that the increase from £82 was the admin/transfer fee - not the licence fee.

- 13.16 Councillor Nemeth replied that it should be noted that due to the increase we would now have the highest beach huts sales tax in the country and that regarding the consultation – there had been zero consultation up to this point. He confirmed that they now needed to sit down and consult with the beach hut owners in order to clarify their views.
- 13.17 The Chair then asked the Members to vote on the amendments and they voted five in favour, three against with two abstentions that this item would now be deferred until September.
- 13.18 **RESOLVED:** That the Committee defer the item to the next meeting of the committee.

#### **14 SNOW WONDER - OUTDOOR EVENTS**

- 14.1 The Committee considered the Report of the Executive Director Economy, Environment & Culture which asked to grant landlord's consent for this event & enter into a formal agreement with the event organiser.
- 14.2 Councillor Norman welcomed the report and confirmed that the Event was a way to deal with anti-social behaviour at The Level.
- 14.4 Councillor Mac Cafferty asked whether residents associations and the Level Community forum had been consulted. He also questioned whether the 7 week duration and large area that this event would take up would be too big for The Level which is a local community space. The Head of Sport & Leisure confirmed that the play area was remaining and that safety was being highlighted.
- 14.5 Councillor Norman asked whether it would be possible to feed back on the consultation on the plan for emergency services at the event. The Head of Sport & Leisure confirmed that there were no particular concerns in the initial feedback.
- 14.6 Councillor Platts commented that she felt it should be tried out for one year, since it would boost the local economy attracting tourists to The Level. The Head of Sport & Leisure confirmed it would be staffed locally. Councillor Druitt also confirmed his support for the event. Councillor Morris questioned whether local employees would be paid the National Minimum wage and the Head of Sport & Leisure confirmed there was a full commitment to fulfil this and Councillor Cattell confirmed seasonal jobs important for the local economy.
- 14.7 **RESOLVED:**
1. That the Committee grant landlord's consent for the Snow Wonder Winter Attraction 2018.
  2. That the Committee authorise officers to enter into a formal agreement with the event organiser to determine conditions, fees and levels of support as appropriate.

#### **15 BUILDING CONTROL FEES AND CHARGES**

- 15.1 **RESOLVED:**

- 1 That the Committee approve the proposed fees and charges increases for Building Control detailed in Appendix 1 from 1 July 2018
2. That the Committee approve the proposed fees and charges for Building Control Specialist Advice detailed in Appendix 2 from 1 July 2018.

## **16 MAJOR PROJECTS UPDATE**

- 16.1 Councillor Mac Cafferty asked about the long term plan of access to the beach and the hoarding. The Executive Director Economy, Environment & Culture confirmed that these were being used for the Shelter Hall development.
- 16.2 Councillor Nemeth asked what was being procured in the Terraces scheme. The Assistant Director, City Development Regeneration confirmed that the Project Management team are procuring.
- 16.3 Councillor Morris confirmed he was proud to have supported funding for Madeira Drive. He also welcomed the new dance studio and is meeting with New South East Dance to promote this.

## **17 ITEMS REFERRED FOR FULL COUNCIL**

- 17.1 No items were referred to Full Council for information.

The meeting concluded at 8.00pm

Signed

Chair

Dated this

day of