




**Brighton & Hove  
City Council**

# Tourism, Development & Culture Committee

Title:	<b>Tourism, Development &amp; Culture Committee</b>
Date:	<b>21 June 2018</b>
Time:	<b>4.00pm</b>
Venue	<b>Hove Town Hall, Council Chamber - Hove Town Hall</b>
Members:	<b>Councillors:</b> Robins (Chair), Platts (Deputy Chair), A Norman (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Cattell, Mac Cafferty, Mears, Morris and Nemeth
Contact:	<b>Kat Hoare</b> Democratic Services Officer 01273 291064 kat.hoare@brighton-hove.gov.uk

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## AGENDA

### PART ONE

Page

#### 1 PROCEDURAL BUSINESS

- (a) **Declarations of Substitutes:** Where councillors are unable to attend a meeting, a substitute Member from the same political group may attend, speak and vote in their place for that meeting.
- (b) **Declarations of Interest:**
- (a) Disclosable pecuniary interests;
  - (b) Any other interests required to be registered under the local code;
  - (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

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

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*Note: Any item appearing in Part Two of the agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the press and public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.*

#### 2 MINUTES

9 - 20

To consider the minutes of the meeting held on 8 March 2018.

**3 CHAIRS COMMUNICATIONS**

**4 CALL OVER**

- (a) Items 8 – 16 will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

**5 PUBLIC INVOLVEMENT**

**21 - 24**

To consider the following matters raised by members of the public:

- (a) **Petitions:** To receive any petitions presented by members of the public.
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 15 June 2018;
  - (i) Housing Need
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 15 June 2018.
  - (i) Article 4 Direction for East Brighton Area

**6 ITEMS REFERRED FROM FULL COUNCIL**

**25 - 44**

Items referred from the last Full Council meeting held on 19 April 2018:

- (a) **Petitions**
  - (i) Single-use plastics at events
  - (ii) Hove Carnegie Library
- (b) **Deputations**
  - (i) PVP St James' Street
  - (ii) Music Venues

**7 MEMBER INVOLVEMENT**

**45 - 50**

To consider the following matters raised by Members:

- (a) **Petitions:** To receive any petitions referred from Full Council or submitted directly to the Committee;
- (b) **Written Questions:** To consider any written questions;
  - (i) Business case for WaterFront- Councillor Mac Cafferty
  - (ii) Rail- Councillor Mac Cafferty
  - (iii) Fracking Policy- Councillor Mac Cafferty
  - (iv) King Alfred- Councillor Nemeth
  - (v) Planning Enforcement- Councillor Nemeth
  - (vi) Marlborough House- Councillor Nemeth
  - (vii) Beach Hut Transfer Fees- Councillor Nemeth
  - (viii) HMO Planning Policy- Councillor Nemeth
- (c) **Letters:** To consider any letters;
  - (i) Article 4 Direction for the East Brighton Area- Councillors Mitchell, Morgan and Platts
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.
  - (i) Hove Library Planning Application

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

**51 - 66**

Report of the Executive Director Economy, Environment & Culture

Contact Officer: Liz Hobden Tel: 01273 292504  
Ward Affected: Central Hove

**9 DRAFT CITY PLAN PART 2**

**67 - 90**

Report of the Executive Director Economy, Environment & Culture

Contact Officer: Helen Gregory Tel: 01273 292293  
Ward Affected: All Wards

## TOURISM, DEVELOPMENT & CULTURE COMMITTEE

- 10 USE OF PLASTICS ON AND WITHIN BUILDINGS IN BRIGHTON & HOVE** **91 - 96**
- Report of the Executive Director Economy, Environment & Culture  
*Contact Officer: Francesca Iliffe Tel: 01273 290486*  
*Ward Affected: All Wards*
- 11 HOUSES IN MULTIPLE OCCUPATION (HMOS)** **97 - 102**
- Report of the Executive Director Economy, Environment & Culture  
*Contact Officer: Steve Tremlett Tel: 01273 292108*  
*Ward Affected: All Wards*
- 12 URBAN DESIGN FRAMEWORK SUPPLEMENTARY PLANNING DOCUMENT ISSUES & OPTIONS** **103 - 134**
- Report of the Executive Director Economy, Environment & Culture  
*Contact Officer: Paula Goncalves Tel: 01273 292352*  
*Ward Affected: All Wards*
- 13 BEACH HUTS - LICENCE TERMS AND CONDITIONS** **135 - 140**
- Report of the Executive Director Economy, Environment & Culture  
*Contact Officer: Ian Shurrock Tel: 01273 292084*  
*Ward Affected: Central Hove;  
Westbourne; Wish*
- 14 SNOW WONDER - OUTDOOR EVENTS** **141 - 168**
- Report of the Executive Director Economy, Environment & Culture  
*Contact Officer: Ian Taylor Tel: 01273 292711*  
*Ward Affected: St Peter's & North Laine*
- 15 BUILDING CONTROL FEES AND CHARGES** **169 - 186**
- Report of the Executive Director Economy, Environment & Culture  
*Contact Officer: Mike Sansom, Julie Borer Tel: 01273 292188,*  
*Ward Affected: All Wards*
- 16 MAJOR PROJECTS UPDATE** **187 - 194**
- Report of the Executive Director Economy, Environment & Culture

## **TOURISM, DEVELOPMENT & CULTURE COMMITTEE**

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

To consider items to be submitted to the 19 July 2018 Council meeting for information.

*In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting*

## TOURISM, DEVELOPMENT & CULTURE COMMITTEE

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**BRIGHTON & HOVE CITY COUNCIL**

**TOURISM, DEVELOPMENT & CULTURE COMMITTEE**

**4.00pm 8 MARCH 2018**

**HOVE TOWN HALL, COUNCIL CHAMBER - HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor; Robins (Chair), Cattell (Deputy Chair), Nemeth (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Mac Cafferty, Morris, O'Quinn, C Theobald and Peltzer Dunn

**PART ONE**

**51 PROCEDURAL BUSINESS**

**51(a) Declarations of substitutes**

51.1 Councillor Peltzer Dunn declared that he was in attendance for Councillor Mears.

**51(b) Declaration of interests**

51.2 There were none.

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

51.3 There were no Part Two items on the agenda.

**52 MINUTES**

52.1 **Resolved:** That the Committee agreed that the minutes were a correct record of the previous meeting.

**53 CHAIRS COMMUNICATIONS**

53.1 The Chair welcomed everyone to the meeting and noted that it was International Women's Day.

**53.2 "Arts - Brighton Festival"**

I spoke at the launch of this year's Brighton Festival, at the Dome on 15th February, drawing attention to the importance of the festival to the city, in raising our national and international reputation as a city and attracting visitors through home grown and international arts of the highest quality. I welcomed the fact that the Festival is making even more commitment to our local communities. 'Your Place' is back for a second year

in Hangleton and East Brighton, building on last year's success and Without Walls is also returning to East Hill Park. In addition, 'pay it forward' (which was generously supported by 1500 people in 2017) is returning this year, and this is a model which I know has real potential to make a difference to people who would find accessing the festival difficult and there is a commitment to developing it further in the emerging Cultural Framework. The continued support of Arts Council England, our key stakeholder partner in funding cultural activities across the city, is vital to enabling the festival to happen and I was joined on the stage by their Area Director, Hedley Swain, who made reference to Brighton & Hove's high level of cultural engagement amongst residents. The event was well attended, with many people keen to hear about the plans of David Shrigley, who is this year's Guest Director - an internationally renowned artist who has made his home here. I am really looking forward to attending as much as possible of the festival, and I hope I will see many of the members of the committee at the events.

### 53.3 **Tourism**

In the last 3 months Visit Brighton and its partners have:

- Hosted journalists that has resulted in coverage in: Olive; i News; Good Things; The Gentleman's Journal and Vegetarian Living.
- Hosted 20 press trips for journalists notably including: Olive Magazine (UK), West Jet Airline (Canada); Marie Claire (UK); Scandinavian Influencers Group and National Geographic (China)

Visit Brighton has seen 300,000 page views to visitbrighton.com and engaged with 58k followers on Twitter, 24.5k friends on Facebook and 10k followers on Instagram Since the start of the financial year, VisitBrighton Convention Bureau handled 165 conference enquiries, confirming 54 enquiries, estimated to generate £39m in economic benefit. These include:

- National HIV Nurses Assoc Annual Congress – Oct 2018 – 400 delegates
- Institute of Translating and Interpreting Annual Conference – May 2019 – 400 delegates
- British Society of Immunology Annual Conference – Dec 2020 -100 delegates
- British Medical Association Annual Conference –June 2020 – 800 delegates
- SOLACE Summit - October 2018 – 400 delegates

Looking ahead to English Tourism Week, 17-25 March 2018, this will start in dramatic fashion with a charity abseil down the i360, in aid of Rockinghorse, for the neo-natal baby unit. Our partners will be promoting a range of events during the week, including the opening of the new Palm Court Restaurant on the Palace Pier, and the week will conclude with events on Madeira Drive.”

## 54 **CALL OVER**

54.1 All items were reserved for discussion.

## 55 **PUBLIC INVOLVEMENT**

55.1 The Chair invited Diane Montgomery to ask a question on behalf of the Living Rent Campaign:

“The Living Rent Campaign asks why so many new private housing developments are given planning permission without meeting the council 40% quota of affordable housing, and notes that new developments in the city are aimed at the luxury market and do little to address the serious housing crisis in the area.

We also note that 80% of market rent is unrealistic for ordinary people. We suggest that the council develop affordable rented guidance based on 60% of the local market rents to define affordable (and the figure should be no more than the LHA), and that the council gives priority to allocate new affordable social housing to the council as opposed to housing associations, many of which are now no longer addressing real social need.”

55.2 The Chair responded:

“The City Plan is seeking to secure 40% affordable housing on all schemes of more than 15 homes. The Plan also seeks a mix of affordable housing types to meet local needs but definitions for affordable housing are set out in national planning guidance (the NPPF). This defines affordable housing to include affordable rent (no more than 80% of local market rent); social rented housing and intermediate housing for sale or rent (e.g. shared ownership). In many cases, the council has been successful in securing affordable housing with rents capped at LHA levels (around 60% market rents)

“This Committee is not able to influence the affordability of housing developments that are brought forward by private developers in the city centre or elsewhere, other than by seeking affordable housing provision through policies in our adopted City Plan.

“It is acknowledged that affordable housing delivery in the city has proven more challenging in recent years due to changes in the way that affordable housing is funded and viability factors in scheme delivery. The government’s NPPF allows a developer to make a case for less affordable housing to be delivered when it can be shown that delivering more would impact upon the overall viability of the development. This Committee recently agreed a move to an “open book” approach on viability assessments. Where planning applications are not offering 40% quotas, viability statements will have to be presented at the time of application, and follow a standard methodology in terms of scope and type of information supplied, This will increase accountability and transparency where applications fall under the 40% quota.

“The challenge of meeting affordable housing need in the city 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.

“Allocations to all new affordable rented properties are through the council’s Homemove system based on the council’s adopted allocations policy. The council is already

exploring the viability of the council becoming the registered provider for affordable housing elements within new developments.”

- 55.3 Diane Montgomery stated that the National Planning Policy Framework stated that affordable rents were up to 80% of market rates which left leeway to demand under 60% of market rates She asked if the council had achieved under 60% rents and if there any evidence could be provided.
- 55.4 The Chair asked the Executive Director, Economy, Environment & Culture to respond.
- 55.5 The Executive Director stated that in many cases the council had been successful in securing rates lower than 80% and the aims was to achieve 60% of market rates. The Executive Director stated that did not have exact figures to hand but could provide a more detailed answer through the Chair.

## **56 MEMBER INVOLVEMENT**

- 56.1 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) Royal Pavilion – Councillor Nemeth**

- 56.2 Councillor Nemeth thanked the Chair for his response and states he appreciated how difficult it had been to convey the risks to the Pavilion’s future and to win the support of staff. He encouraged the Chair to persevere with a cross party approach.

### **(ii) King Alfred – Councillor Nemeth**

- 56.3 Councillor Nemeth asked why no contract had yet been signed despite approval to commence with the development being given over two years ago.
- 56.4 On behalf of the Chair officers responded that terms of the contract where being clarified. It was expected that a final contract would be agreed in April 2018.

### **(iii) Notice to Beach Hut owners of increased fees – Councillor Nemeth**

- 56.5 Councillor Nemeth stated that he was pleased that the annual fee for Beach Huts had now been dropped and asked if the increased transfer fee should have been considered as an increased fee when the committee considered the fees and charges report in January 2018 as this had increased from an £82 administration fee to a £2,500 transfer fee.
- 56.7 On behalf of the Chair the Legal Adviser to the Committee stated that she would provide a written response to the question.

### **(iv) Marlborough House – Councillor Nemeth**

- 56.8 Councillor Nemeth asked that the Chair update the committee on any progress at the next meeting.

56.9 The Chair agreed to update the committee through his Chair's Communications.

**(v) Sculpture Trail – Councillor Nemeth**

56.10 Councillor Nemeth asked if the Chair would meet with himself and Councillor Peltzer Dunn as Wish Ward Councillors and the Chair of Hove Civic Society to provide an update on progress.

56.11 The Chair stated that he would be happy to meet with the Councillors and the Chair of Hove Civic Society to discuss the sculpture trail.

**(vi) Hippodrome – Councillor Nemeth**

56.12 Councillor Nemeth asked that given the prominence of the Hippodrome and the current owner's neglect did the Chair share his surprise that tougher enforcement action has not been taken.

56.13 The Chair responded that the council was currently in the process of contacting the owner which it had to do before enforcement action could go ahead.

**(vii) Planning Enforcement – Councillor Nemeth**

56.14 Councillor Nemeth asked that the number of pending planning enforcement cases could be sent to him as these were not present in the answer.

56.15 The Chair confirmed that they would be.

56.16 Councillor Nemeth asked what had caused the number of cases solved per month to fall over the last six months.

56.17 Officers responded that there were peaks and troughs throughout the year and that these were caused by a number of factors.

**(viii) The Big Screen – Councillor Mears**

56.18 Councillor Peltzer Dunn on behalf of Councillor Mears asked if a timetable of the consultation process which was detailed in the written response could be provided.

56.19 The Chair responded that a written answer would be sent to Councillor Mears.

**57 COMMUNITY INFRASTRUCTURE LEVY - DRAFT CHARGING SCHEDULE AND DRAFT REGULATION 123 LIST**

57.1 Officers introduced the report. Responses to the consultation which stated that the proposed charges were either too high or manageable had been received in equal numbers. Two changes had been made to the proposed Community Infrastructure Levy

(CIL) scheme following consultation; a reduced rate for purpose built student accommodation and a nil rate for strategic sites.

- 57.2 The Chair noted that the Conservative Group had submitted an amendment to the recommendations and asked Councillor Nemeth to move the amendment.
- 57.3 Councillor Nemeth stated that he had proposed the amendment as he felt that designating King Alfred as a strategic site and charging a nil rate CIL was not justified by abnormal costs however after discussion with Officers he had decided to withdraw the amendment. Councillor Nemeth stated that while he was not fully convinced of the abnormal costs associated with King Alfred he was satisfied that the Developer would still be required to make a Section 106 contribution.
- 57.4 Councillor Druitt asked what the value of the lost CIL was for the strategic sites if they were charged a nil rate and if Officers had given any consideration to redrawing the boundaries of the charging zones so that the site fell into a lower rate area.
- 57.5 Officers responded that the nil rate had been included in the charging schedule because of the significant abnormal costs associated with some sites and to recognise the significant positive externalities generated by development on these sites. All the strategic sites identified were in zone 1 which had the highest rates and where there was a lot of significant development so redrawing the zone 1 boundary without excluding other development would not have been possible. Officers stated that charging the lowest rate on the schedule would still impact the King Alfred development to the point that it would not be viable.
- 57.6 In response to Councillor Mac Cafferty, Officers stated that water fountains would be covered by the 123 list and that an annual report would be published detailing how CIL income had been spent.
- 57.7 Councillor Mac Cafferty asked if Officers had considered CIL with an open book approach to viability assessments.
- 57.8 Officers stated that the viability assessment undertaken was in line with best practice.
- 57.9 Councillor Theobald stated that she was surprised at the low response rate to the consultation and asked how Local Authorities which had adopted CIL had found the process.
- 57.10 Officers responded that other authorities had provided positive feedback on CIL as its expenditure was less restricted than Section 106 and CIL could be levied across a greater range of developments.
- 57.11 Councillor Peltzer Dunn stated that Dixon Searle Partnership had recommended charging at £250/m<sup>2</sup> for purpose built student accommodation in the viability assessment they had provided for the council. Councillor Peltzer Dunn asked why the proposed rate had been reduced.
- 57.12 Officers stated that Dixon Searle Partnership's viability assessment had recommended a range for the CIL rate for purpose built student accommodation. The preliminary

charging schedule was at the top of this range. Following responses from Brighton University and Select Property (a student accommodation provider) further viability work was carried out. This further work found that that the rate should be reduced to the lower end of the range.

57.13 Officers also clarified that additional appendixes had not been included in the agenda due to their size but had been published online at the same time as the agenda.

**57.14 Resolved:**

- 1) That the Committee notes the results of the Preliminary Draft Charging Schedule CIL Consultation 2017 Report (Appendix 4) and subsequent recommendations arising from the CIL Viability Assessment Addendum (February 2018) (Appendix 3).
- 2) That the Committee agrees to publish the Draft Charging Schedule (Appendix 1) in accordance with regulation 16 of the Community Infrastructure Levy Regulations 2010 (as amended), for six weeks formal consultation, and to authorise the Head of Planning to make any necessary minor editorial/grammatical amendments to the Draft Charging Schedule prior to consultation.
- 3) That the Committee agrees to submit this published Draft Charging Schedule for examination in accordance with regulation 19 of the Community Infrastructure Levy Regulations 2010 (as amended) unless substantive modifications are required whereupon a Statement of Modifications would be produced and brought to this committee prior to publication.
- 4) That the Committee agrees to publish the draft Regulation 123 List, which sets out a framework of infrastructure which may be funded from the levy (Appendix 2), for a period of six weeks formal consultation and to authorise the Head of Planning to make any necessary minor editorial/grammatical amendments to this list prior to consultation.

**58 MAJOR PROJECTS UPDATE**

- 58.1 Officers updated that Committee on Major Projects in the city highlighting that work had commenced on the Preston Barracks site and that the Hyde Housing/ Brighton & Hove City Council Limited Liability Partnership Board had had its first meeting.
- 58.2 Councillor Mac Cafferty asked what had caused the delay was to work at New England House. The site had been identified as a key [art of the City Deal which had been agreed in 2014.
- 58.3 The Executive Director, Economy, Environment and Housing responded that the key change since the City Deal had been signed was that the council was now looking at developing New England House along with the adjacent piece of land. This was progressing and the Strategic Delivery Board had been updated and a proposal would be going to Policy, Resources and Growth Committee. The adjacent land was currently used as workshops. The Executive Director stated that nearly 1000 people worked at New England House and that the council understood what an important asset it was to the city; there was no intention to demolish the building but it needed a lot of work.

- 58.4 In response to Councillor Mac Cafferty, Officers stated that while negotiations for the land acquisition for the waterfront development had gone on for some time they were hopeful of being able to bring forward the conditional land acquisition shortly.
- 58.5 In response to Councillor Peltzer Dunn, Officers stated that 'a period' generally referred to the time between reports to the Committee. Officers stated that way major project updates were reported to the Committee was evolving and this may include more detailed timelines.
- 58.6 Councillor Nemeth asked officers to clarify who the partner for the King Alfred development was and why the project completion date had come forward.
- 58.7 The Executive Director, Economy, Environment and Culture responded that the bid was a partnership between Crest Nicholson and the Starr Trust but the development contract would be with Crest Nicholson. Officers stated that they believed that expected completion date had been moved forward because of greater clarity around the project.
- 58.8 In response to Councillor Druitt, the Executive Director, Economy, Environment and Culture stated that there would be seven stages in the land deal for the waterfront project with investment taking place in several stages. The Executive Director stated that officers would be able to brief Members outside of Committee and put more of a focus on the development in future major projects updates.
- 58.9 In response to Councillor O'Quinn, the Executive Director, Economy, Environment and Culture stated that 20% of the homes being built in the Circus Street project would be affordable.
- 58.10 **Resolved:** That the Committee noted the report

## 59 UPDATE ON DEVELOPMENT OF CITY VISITOR ECONOMY STRATEGY

- 59.1 The Arts & Culture Programme Director updated the Committee on the development of the City Visitor Economy Strategy. The Strategy was currently under development before going out to consultation.
- 59.2 Committee O'Quinn stated that she was pleased to see the strategy incorporate the national park and stated that she hoped the downland would be better utilised as a feature of the city.
- 59.3 Councillor Cattell expressed concerns that the issue of ad hoc accommodation and party houses would be exacerbated by increased visitor numbers and this would need to be addressed.
- 59.4 Officers responded that they agreed with Councillor Cattell's concerns and that some of this would be picked up through accommodation studies.
- 59.5 Councillor Mac Cafferty stated that in 2013 the previous administration established the Tourism Advisory Board with partners from across the city and suggested that it would be beneficial to establish a similar organisation now to help the council consider how Brighton & Hove is advertised as a city. The Councillor also stated that there was



currently a push to promote Local Enterprise Partnership cites such as Bristol and Bath and that Brighton & Hove risked being left behind.

- 59.6 The Executive Director, Economy, Environment and Culture responded that although the Tourism Advisory Board had now disbanded the council still worked closely with the Tourism Alliance and with the Hoteliers Association.
- 59.7 Councillor Morris stated that there was a need to promote different areas of the city rather than focus on the seafront and night time economy. Brighton & Hove was still lacking a gallery of modern art and the Fabrica Gallery was struggling to remain financially viable. Councillor Morris also expressed concern that the night time economy actually created relatively little real benefit for the city.
- 59.8 Councillor Druitt agreed with Councillor Morris that there was little opportunity for growth in the night time economy and that a focus on promoting it hid the variety present in the city. Visitors were often not aware of attractions in the city which may have a wider audience such as Preston Manor.
- 59.9 Councillor Druitt asked if officers knew why Brighton & Hove did so well in terms of income per visitor compared to cities like Oxford which attracted more visitors but had lower income from tourism.
- 59.10 Officers responded that visitors who stayed overnight spent a lot more in the city than day trippers as they purchased accommodation, meals etc. Officers stated that there was an initiative to try to package travel and attractions together which would encourage visitors to extend their stay and see different parts of the city. This already existed in other cities but was not something Brighton & Hove currently offered.
- 59.11 Members of the Committee stated that they felt that Queens Road created a negative first and last impression for visitors coming to the city by train. Councillor Peltzer Dunn expressed concern that the proposed strategy did not address this issue.
- 59.12 The Chair agreed that Queens Road was not the city putting its best foot forward however 9 out of 10 visitors still said they would return to the city. He also emphasised that taking a strategic view of the visitor economy was the best way to ensure progress was made and that the council did not just keep doing what it had always done.
- 59.13 Councillor Theobald stated that she felt that the number of major conferences held in the city had fallen. She asked if the disruptions to the Southern Rail service through 2017 had caused a reduction in visitor numbers.
- 59.14 Officers responded that the data for visitor numbers was only available for 2016 and the impact of rail disruptions would not be known until 2019.
- 59.15 The Executive Director, Economy, Environment and Culture responded that when Explore GB delegates had come to the city a small budget had been allocated to dress the city which had received positive feedback. A budget had been agreed by Full Council to do more to dress the city for future conferences.

- 59.15 Councillor O'Quinn stated that the council should be doing more to ensure event organisers cleared up fully after events highlighting the Pride street party and half marathon.
- 59.16 The Executive Director, Economy, Environment and Culture stated that the presentation outlined the themes of the strategy and the feedback from Members would be incorporated into the strategy. He also stated that more could be done to exploit Brighton & Hove's proximity to other destinations and the proximity of Gatwick Airport; although Brighton & Hove was already the second most popular destination for people arriving at the airport.
- 59.17 The Chair noted that there had been an officer amendment to the recommendations to correct the date of the next committee to 2018 from 2017.
- 59.18 **Resolved:** That the committee notes and comments upon the content of the presentation and the plans for consultation and the further development of the Destination Management Plan, together with the intention to bring a report to its meeting on 21 June 2018, seeing approval to adopt the strategy.

## 60 UPDATE ON DEVELOPMENT OF THE CITY CULTURAL FRAMEWORK

- 60.1 The Arts & Culture Programme Director updated the Committee on the development of the City Cultural Framework.
- 60.2 Councillor Mac Cafferty asked what further work had been done since the city had joined Creative England's "Film Friendly Partnership".
- 60.3 Councillor Druitt noted that Brighton & Hove had a high level of home workers and asked what the council could do to support home workers and help them grow their business.
- 60.4 The Executive Director, Economy, Environment and Culture stated that homeworkers were a key asset for the city as they diversified the city's economy and meant that the city was not reliant on a single sector providing protection from shocks. The council's Emerging Economy Strategy would address both home workers and the film industry in the city.
- 60.5 Councillor Mac Cafferty stated that the city had had an ongoing issue with providing artist studio space. The council had previously pursued a gallery and has explored different funding models which had not come to fruition. He stated that the Framework should contain further discussion of how a new gallery in the city could be achieved.
- 60.6 Councillor Morris stated that he was disappointed that the updated had not shown stronger links with Brighton University as the University had a focus on media and fashion.
- 60.7 Officers responded that there were strong links with Brighton University but the majority of joint work with the universities currently had University of Sussex leads. This was due

to a number of factors including staff turnover at Brighton University and was not indicative of favouring one university over the other.

- 60.8 **Resolved:** That the committee notes and comments upon the content of the presentation and the plans for consultation and further development of the framework, together with the intention to bring a report to its meeting on 21 June 2018, seeing approval to adopt the framework and associated activities.

**61 ITEMS REFERRED FOR FULL COUNCIL**

- 61.1 There were none.

The meeting concluded at 6.36pm

Signed

Chair

Dated this

day of



**WRITTEN QUESTIONS**

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for questions submitted by a member of the public.

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

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

**(i) Housing Need- Jim Deans**

*“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?”*



21 June 2018

Brighton & Hove City Council

**DEPUTATIONS FROM MEMBERS OF THE PUBLIC**

A period of not more than fifteen minutes shall be allowed at each ordinary meeting of the Council for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes.

Deputations received:

**(i) Deputation:** Article 4 Direction for East Brighton Area

To express the deep concerns of East Brighton Area residents regarding the alarmingly rapid appearance of student HMOs in our traditional, cohesive family neighbourhoods.

To ask our councillors to take into consideration our extreme vulnerability given that the five Wards on our boundary have already been granted Article 4 Directions, making it inevitable that HMO landlords would seize the opportunity to move into our unregulated area. Landlords are also attracted by not only being able to rent to university students but by the Royal Sussex and teaching hospitals being on our doorstep.

With no planning permission required, landlords are taking full advantage of Permitted Development Rights to convert even small two-bedroomed terraced houses (some over a century old with all that entails in lack of soundproofing and suitability) into anything up to 5 and 6 bedroom HMOs.

With the problems we've encountered arising from some of the student HMOs that have already appeared, and having become aware of the negative impact the creeping intensification of student HMOs has had on other areas of our city, we are dismayed at the prospect of losing our own family neighbourhoods only for them to be added to the profitable, often extensive portfolios of HMO landlords.

Given the rate at which our family homes are being lost, we would ask that our councillors offer us the protection we urgently so need by recommending that East Brighton Ward be granted an Article 4 Direction.

**Signed by:**

Chris Curry Cliff (Lead Spokesperson)

Paul Grove

Michaela Webb

Louise Byrne

Alex Mancey-Barratt

Antony Baker

Andy Richardson

Annalisa Camden

Steve Chapell

Brian Oliver  
Paul Skelly



<b>Subject:</b>	<b>Items referred from 19 April Full Council meeting- Petitions</b>		
<b>Date:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Monitoring Officer</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>John Peel</b>	<b>Tel: 01273 291058</b>
	<b>E-mail:</b>	<b>john.peel@brighton-hove.gov.uk</b>	
<b>Wards Affected:</b>	<b>Various</b>		

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To receive any petitions referred from the Full Council meeting of 19 April 2018.

**2. RECOMMENDATIONS:**

- 2.2 That the Committee responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options, including the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's Overview and Scrutiny Committee
- calling a referendum

**3. PETITIONS**

**3. (i) Single-use plastics at events – Nicki O’Neil**

To receive the following petition referred from the meeting of Full Council on 19 April and signed by 1442 people

*“We the undersigned petition Brighton & Hove Council to insist that all the events held in the City are free from single-use plastics, and if not the council will not issue licenses to the event organisers”.*

### **3. (ii) Hove Carnegie Library – Councillor Wealls**

To receive the following petition referred from the meeting of Full Council on 19 April and signed by 222 people

*“We the undersigned, deplore the fact that the Council made a Planning application to truncate the ground-floor book shelves at Hove’s Carnegie Library without informing the Cross-Party working panel (set up after the untrustworthy 2015 plan collapsed) that this Application would be a part of current proposals. This behaviour goes against the democratic process by which Councillors are elected to act in the public interest. As such, we insist that the current proposal be halted - and an explanation be given why Councillors were treated in a high-handed way, for, of course, the ramifications of such an attitude are considerable.”*

<b>Subject:</b>	<b>Single-Use Plastics – Petition for Debate: Extract from the proceedings of the Council Meeting held on the 19 April 2018</b>		
<b>Date of Meeting:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Executive Lead for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name: Mark Wall</b>	<b>Tel: 01273 291006</b>	
	<b>E-mail: <a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a></b>		
<b>Wards Affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

***Action Required of the Tourism, Development & Culture Committee***

To receive the petition referred from the Council for consideration.

**Recommendations:**

1. That the petition be noted and considered by the Tourism, Development & Culture Committee; and
2. That a report be brought to the Tourism, Development & Culture Committee exploring the proposals set out in the petition including:
  - the possibility of requiring event organisers and vendors to avoid Single Use Plastic as a condition of their event permission.

Petition: 1, 416 Signatures

We the undersigned petition Brighton & Hove Council to insist that all the events held in the City are free from single-use plastics, and if not the council will not issue licenses to the event organisers.

Following the agreement at the Environment, Transport & Sustainability Committee at 4.00pm on 28 November 2017 to report on the potential for a ban on the purchase of single-use plastics in all council buildings and agencies. We urge the council to go further to protect our coastline to insist that all City's events are free from single-use plastics and if not event licenses will not be issued to the event organisers. We would also like the promised report to be published by June 2018.

**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30pm 19 APRIL 2018****COUNCIL CHAMBER - HOVE TOWN HALL****MINUTES**

**Present:** Councillors Marsh (Chair), Simson (Deputy Chair), Allen, Atkinson, Barford, Bell, Brown, Cattell, Chapman, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Hyde, Janio, Knight, Littman, Mac Cafferty, Meadows, Mears, Miller, Mitchell, Moonan, Morgan, Morris, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Penn, Phillips, Robins, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls, West and Yates.

**PART ONE****87 PETITIONS FOR COUNCIL DEBATE****(I) SINGLE-USE PLASTICS**

- 87.1 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. She had been made aware of two such petitions however, since the publication of the agenda the second petition relating to school places had been withdrawn. She also noted that there was an amendment to the covering report's recommendation for Item 87(i), Single-Use Plastics from the Green Group.
- 87.2 The Mayor then invited Mr. Radcliff and Ms. Haley-Mirnar to come forward and present the petition.
- 87.3 Ms. Mirnar stated that the use of single-use plastics had become a huge environmental issue with only around 20% being recycled and a large amount now entering the food chain. As a sea swimmer she and her friends were experiencing more and more plastics on the beach and in the sea after large events had taken place in the city. Whilst the clear-up rate after events was generally good, it created waste which was not being dealt with effectively.
- 87.4 Mr. Radcliff stated that the city council was a progressive organisation and had recently announced an attempt to reduce the use of plastic bottles in the marathon; however more was needed to be done and one option was to have a licensing policy to prevent use of single-use plastic at events. He noted that by 2050 current projections showed the weight of plastic in the oceans would be more than the actual fish that lived in them.

- 87.5 Councillor Robins thanked the petitioners for presenting the petition and noted that since the Notice of Motion was passed in November, officers had been looking at the options for addressing the use of single-use plastics, including where they could be removed or alternatives provided. An update report was taken to the Policy, Resources & Growth Committee (PR&G), in March and it was intended to encourage event organisers to get involved and to work with organisations to improve the situation and a further report was expected for the PR&G Committee in July.
- 87.6 Councillor Druitt moved the amendment on behalf of the Green Group which called for a report to the Tourism, Development & Culture Committee on the issue of introducing a condition to prevent event organisers and vendors from using single-use plastics as part of the permission to hold the event in question. He noted that city already had a bio-sphere and suggested that it should lead by example to protect this and its environment. He hoped that the Administration would take this forward.
- 87.7 Councillor Mac Cafferty formerly seconded the amendment.
- 87.8 Councillor Bell welcomed the petition and the amendment and stated that you only needed to look around the city to see the problem that existed. The matter needed to be taken seriously and noted that the Government had announced the intention to ban the use of plastic straws and stated that the council needed to follow the example and take action.
- 87.9 Councillor Robins noted the comments and stated that he was happy to accept the amendment as it outlined the actions that the council was already aiming to achieve. He also noted that San Francisco was seen as leading the way on this matter, and yet having banned single-use plastics it had led to water being supplied in tetra packs which were in effect no better than plastic bottles. It showed that more was needed to be done and he hoped that a report could be brought to a future meeting.
- 87.10 The Mayor thanked Mr. Radcliff and Ms. Haley-Mirnar for attending the meeting and presenting the petition, and noted that the Green Group's amendment had been accepted. She therefore put the recommendations as amended to vote which were carried unanimously.
- 87.11 **RESOLVED:**
- (1). That the petition be noted and considered by the Tourism, Development & Culture Committee; and
  - (2). That a report be brought to the Tourism, Development & Culture Committee exploring the proposals set out in the petition including:
    - the possibility of requiring event organisers and vendors to avoid Single Use Plastic as a condition of their event permission.



<b>Council</b>  1 February 2018	<b>Agenda Item 86(1)</b>  Brighton & Hove City Council
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### **(1) Deputation concerning the PVP St James' Street Party**

We the under listed members of The Kingscliffe Society wish to make a deputation for moving the PVP (St James's Street Party) down onto Madeira Drive, at the next full Council Meeting on the 19th April 2018.

We therefore would refer to the Economic Development & Culture Committee meeting 13/11/ 2014 and to Agenda item 35 (ref 3.28.21) in support.

#### **Introduction**

We the Kingscliffe Society and on behalf of many other businesses and residents have sent the Council a notification of a Declaration dated 7<sup>th</sup> April 2018. The subject of the Declaration is a list of the effects imposed on us, without any effective consideration of our needs, by the St James's Street Party (PVP). We will introduce a copy of an Email from the Pride organisation issued prior to the actual event for the comparison of our list of effects with their proposed action plan.

There are amongst our residents the old – some housebound, some less able and some who require help two or three times a day. There are young families that cannot afford simply to move away and rent, because it is the most expensive time of the year. The late night noise of the street party disturbs everyone young & elderly well into the night. Many of our more lucky residents simply move away temporarily, but some of our local businesses have to bite the bullet and close, losing a valuable weekend's income and more.

The resulting street conditions can only be described as a disgusting nightmare. All of these problems have been growing from year to year without being resolved and without respect and consideration for us all. In past years pre---event public meetings have been called without informing all the businesses and residents, yet still claiming a favourable response, even though the real views and/or consent of all those concerned have never been sought.

The original purpose of this party as a celebration of the gay community has been completely undermined by the presence of a vast army of hangers--on, who appear intent only on unlicensed excess and drink/drug taking, and who have no natural connection to the city at any other time of the year. We are obliged to live with the effects for days afterwards and we then dread the fact that it will all happen again next year, getting worse each time.

There are no real reasons why this event should not be moved to the adjacent seafront at Madeira Drive. Proper controls could be more easily instituted, while few, if any, of the residents would be seriously affected. At least any acts of appalling drunkenness and bad behaviour would not be occurring close to our homes, properties and businesses. [It might even become an event to which people would be proud to bring grandparents or nieces and nephews.]

With due respect, we cannot imagine that any of our Councillors would like the St James's Street party imposed on their own home and front doorstep for a full weekend Friday night to Sunday night. We therefore respectfully request Council not to give permission for this event to take place in the St James's Street area.

We are grateful to all members and businesses who have taken the time to send us feedback about last year's event. The following is a summary of last year's event:

- No street cleaning until days after the event and only St. James Street was
- cleaned, the side streets were ignored
- No rubbish collectors during the event
- Nobody from Pride was visible or contactable during the event
- Sound systems not adhering to their contractual start/finish times
- Toilets were installed even though the contactors were aware they were not

## Supporting Information:

- working
- Nobody in charge of the stewards who had at best a disinterested attitude in
- their role
- Feedback from many attendees at the event was that bags and wristbands were not
- checked
- No security in attendance in any of the side streets
- External Police Forces were used who did not know the area - they did not know
- where evacuation points were
- Excessive on-line 'administration' fees as well as processing fees for wristbands
- How it is always Aeon Productions and its associates who wins the tender for the
- event even when they are offered cheaper and better alternatives
- No local consultation regarding the event
- Residents were refused access by the security guards at the bottom of Dorset
- Gardens
- We used to enjoy the street party when it was actually focused on the gay
- community - rather than the economically motivated, overcrowded heterosexual
- Carnival now being promoted
- We were annoyed to have to wear wristbands to shop in our own community
- Police coverage in the St James' Street area virtually non-existent

Collated by The Kingsliffe Society.

We will be meeting the event organisers shortly to discuss this and we will also present feedback to a meeting of the full Council in due course.

<b>From:</b>	paul@brighton-pride.org
<b>Sent date:</b>	13/07/2017 - 15:39
<b>To:</b>	trevor.scoble894@btinternet.com
<b>Cc:</b>	jayne@brighton-pride.org, david.hainsworth@gmail.com, rogerrolfe@icloud.com, becky@brighton-pride.org
<b>Subject:</b>	Re: PVP St James's Street Party 2017
<b>Attachments:</b>	PVPmap2017 v1.pdf 1.4 MB Pride: Police: BHCC :Statement 2017].docx 344.3 KB PVP 2017 St James St.pdf 104.8 KB image001.png 57.9 KB



## Supporting Information:

Dear Kingscliffe Society,

Thank you for your most recent correspondence the content of which has been noted. With regard to your request to be provide with copies of our plan and risk assessment i must once again state that these are not for public distribution.

These documents are not distributed in the public domain as they contain detailed security plans, which if publicly distributed, would undermine the safety and security of the entire event.

As explained previously Sussex Police carry out a threat assessment on the event and implement plans accordingly. At this time we have not been advised that there is a change to the threat assessment carried out by Sussex Police

I am not saying that our plans are secret but they do contain our security plans and therefore Pride will not share these plans with individuals outside of our agreed event planning team.

I have to disagree with you comment that I have for years strongly disagreed with moving the PVP to another location, this is not my view and we have already raised possible alternative options with statutory partners .

What I have said is, we believe that large numbers of people (not necessarily visitors to Pride) would simply return to St James Streets for what would be seen as a free public gathering; without the management and safety measures that Pride CIC have put in place. We are concerned about the negative and potentially dangerous consequences of such an un-managed gathering.

It would be irresponsible to request a relocation change for the Village party without fully exploring the consequences of what would happen in St James St & surrounding streets but I'm confident that should Kingscliffe Society or others produce a detailed plan to ensure the management and safety of large gathering on St James St or Marine parade or surrounding Streets that the appropriate authorities will give then due consideration to your plans.

Pride would also be seeking view of detailed plans before we would be able to embark on a funding and managing an event on Madeira Drive or other locations.

My response to two of your other questions are set out below.

### 1 Police Barricades

I would like to clarify with you that these are not barricades but barriers that are installed by the police counter terrorism team and are there to prevent unauthorised vehicles from entering the area at speed. These are staffed for the duration, from installation to removal they are not 3m high fences and would not in an emergency prevent people leaving the area.

### Street Plan

I have attached a copy of the Street Plan that will be circulated to residents over the next two weeks along with information about the event, a contact number and email. for the weekend. This shows the venues that are participating in the event but they don't all have sound systems or stages those that do are...

George St - Queen Arms & Kings Arms share a stage

Broad St - Marine Tavern Stage

St James St - The Zone, Bulldog, Block - One music zone for this area DJs

St James St - Shortts Bar- DJs

Manchester Street - Mucky Duck Latest Music Bar & Bella Cafe share or one music zone

Marine Parade - RBar, CharlesSt, Bar Patterns, Amsterdam - One music zone

Marine Parade - Funky Fish/ New Madeira Hotel one music zone

Rock Place - Brighton Rock One music zone

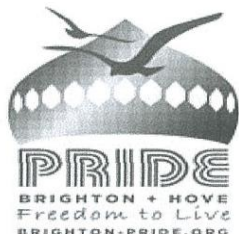
Marlborough - Stage and Music

We would advise that you or others submit your plans to your local councilor who can then take this up with the relevant departments at BHCC.

Although Pride will continue community dialog around the PVP after this years event I would be grateful that you take up any further concerns with BHCC or Sussex Police as ultimately, the statutory authorities have the final say on any events held in the City.

Kind Regards

Paul Kemp



**Pride Arts and Film**  
**21st July – 6th August 2017**  
**Pride weekend 4th –6th August 2017**

Paul Kemp  
Managing Director

The Old Ironworks  
Unit 2  
30 Cheapside  
Brighton  
BN14GD  
W: [brighton-pride.org](http://brighton-pride.org)  
E: [paul@brighton-pride.org](mailto:paul@brighton-pride.org)  
W: [brighton-pride.org](http://brighton-pride.org)

Brighton and Hove Pride is the UK's biggest Pride Festival and is operated by Brighton Pride CIC, a not for profit community interest company.  
All tickets revenue raised goes directly to the operational and running costs of producing the Pride Festival, LGBT Community Parade, Pride Village Party and community fundraising for the Rainbow Fund and Pride social impact fund.

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**From:** TREVOR SCOBLE <[trevor.scoble894@btinternet.com](mailto:trevor.scoble894@btinternet.com)>  
**Reply-To:** <[trevor.scoble894@btinternet.com](mailto:trevor.scoble894@btinternet.com)>  
**Date:** Tuesday, 11 July 2017 12:01pm  
**To:** <[paul@brighton-pride.org](mailto:paul@brighton-pride.org)>  
**Subject:** PVP St James's Street Party 2017

Dear Paul

**Spokesperson Mr R. Rolfe**

Supported by:  
David Hainsworth  
Trevor Scoble  
Janie Thomas  
Robert Edwards  
Teresa Scoble



<b>Subject:</b>	<b>PVP St James' Street Party– Deputation: Extract from the proceedings of the Council Meeting held on the 19 April 2018</b>		
<b>Date of Meeting:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Executive Lead for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mark Wall</b>	<b>Tel:</b> 01273 291006
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	All		

**FOR GENERAL RELEASE**

***Action Required of the Tourism, Development & Culture Committee***

To receive the deputation referred from the Council for consideration.

**Recommendations:** That the deputation be noted and considered by the Tourism, Development & Culture Committee.

**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30pm 19 APRIL 2018****COUNCIL CHAMBER - HOVE TOWN HALL****MINUTES**

**Present:** Councillors Marsh (Chair), Simson (Deputy Chair), Allen, Atkinson, Barford, Bell, Brown, Cattell, Chapman, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Hyde, Janio, Knight, Littman, Mac Cafferty, Meadows, Mears, Miller, Mitchell, Moonan, Morgan, Morris, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Penn, Phillips, Robins, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls, West and Yates.

**PART ONE****86 DEPUTATIONS**

- 86.1 The Mayor reported that two deputations had been received from members of the public and invited Mr. Rolfe as the spokesperson for the first deputation to come forward and address the council.
- 86.2 Mr. Rolfe thanked the Mayor and stated that he was attending on behalf of the Kingscliffe Society and members of St James' Street LAT and sought the council's agreement to recognise the impact of the proposed PVP street party and to move it to Madeira Drive. He stated that the nature of the party had changed in recent years and meant that if you were a resident it was better to move out of the city for the weekend rather than endure the noise and impact on their lives. He referred to the decision of the previous Economic Development & Culture Committee in November 2014 which had agreed to look at the use of Madeira Drive for this party and again urged for this to be considered.
- 86.3 Councillor Robins thanked Mr. Rolfe for presenting the deputation and stated that the arrangements for the Pride event this year were well advanced and no proposal had been made to move the party and there would be other factors affecting the use of Madeira Drive.
- 86.4 The Mayor thanked Mr. Rolfe for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Tourism, Development & Culture Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

## 2) Deputation concerning Music Venues: A thank you; a request; and still - who is VisitBrighton.com for?

Three years ago, I stood before you presenting one of the larger petitions you receive; bringing with me so many supporters they had to be accommodated in an anteroom with a video link. Such is the passion for live grassroots music in this city.

It was not a hostile petition and it was non-party political. Likewise, this deputation is neither hostile or party political. The petition was the grassroots music scene of Brighton and Hove reaching out to you saying get to know us, understand us and work with us. And you did. Thank you.

In truth, I expected you to slap the petition down, to somehow use council procedure to negate it, or just side-line it. But you didn't. Thank you.

The petition was backed unanimously and furthermore, you moved to create a Policy Panel to explore the issues affecting live music venues in the city. That process reached a milestone last month with the publication of the council's Brighton & Hove Live Music Venue Partnership Report.

This deputation is a big thank you for the work so far, to explain why I feel it is so important all Councillors keep an eye on the developments not just the specific committee members and also to mention a couple of new threats that have appeared since I last stood before you. I want to explain why the council's own Live Music Venue Partnership Report is so important. The second part of the deputation revisits my passionate feelings towards the Visit Brighton website.

The Music...

I appreciate that with your council workload, for some of you, the live music scene only triggers into your council consciousness when something goes wrong or there are negatives involved. These negatives you come across as Councillors only feed into that feeling that the city's nightlife is a problem to be tolerated rather than something wonderful to be celebrated. I'd like you to see past those over-emphasised negatives and join in with the positives.

The B&H Live Music Venue Report is an important step forward and I urge to read it (it's not that long). It sets out the background and history of live music in the city, some of the current challenges for the sector both locally and nationally, and places it within a worldwide perspective. Our city is known worldwide as a grassroots musical hub that attracts a wealth of creative talent across all the creative industries. It's one of the reasons this city has such a high graduate retention.

The report makes 4 key recommendations.

The first of which is to set up two groups: a '**Live Music Roundtable**' and a '**Live Music Venue Partnership**'. To me this is the most important of the recommendations and an expansion of the forum idea that I put forward in the original petition. It is suggested in the report that the Roundtable will consist of around 20 members from across the sector from musicians and sound engineers, promoters, festival organisers, venue owners, etc., and key representatives from relevant council departments

This fledgling initiative needs treating with great care. The right inclusive balance is crucial from the off to get the local music scene fully onboard. If the Roundtable seen as a clique then musicians and small promoters will distance themselves from it en masse. On a personal note, I feel it is imperative that a representative from police licencing is on the Roundtable. They and the local music scene need to bridge that gap of trust and understanding to work together for the benefit of both. For the economic survival of our venues I see this as paramount.

### **Supporting Information:**

The Roundtable is to be supported by a Live Music Venue Partnership open to anyone working within the live music industry in the city to join. It's a forum of individuals supporting and passing ideas forward to the Roundtable.

The reason why I suggest you all keep an eye on developments is because you get people like me helping you out of passion not money. Like 90% of the people who are part of the grassroots live music scene, I don't make any money from it, actually quite the reverse. Yet I am intensely passionate about it though; and willing to put the time and effort in to help the music scene progress - and I'm by no means unique in that. In these times of budget cuts these passionate people are a resource that can really help you. If this initiative is successful, and I am so hoping it is, then the model should be portable to other sectors of council business in this climate of austerity. Please consider how cost-effective that can be.

Since I presented the petition new threats have emerged. The Business Rate review is a major concern. It has levied increases to some venues of 250 and 300 percent. To put that into perspective for you, I was told by one venue owner that equates to a £2 per ticket rise, assuming the night was fully sold out (and of course that is not the norm). When you consider the normal ticket price for the venue is £3 to £7 you can understand what a big hike that is. What is galling, is that you Councillors don't even get to spend the money increase, as you just collect it and send it off to the government.

Though they are smaller, our local neighbours can offer some pointers that can be useful to you. Hastings has an evolving music scene, I'm told supported by the council and is definitely attracting positive reviews. The high cost of living here is making it attractive to some people on the music scene and I know of some grassroots musicians who have moved there and some promoters moving a number of their gigs there too. Worthing Councillors on the other hand have made the retrograde step of issuing a music venue 70db limit without actually understanding what that means. The decibel scale is not linear - each reduction of 10db reduces the sound level by half. I ask you to keep this in mind if you ever plan to put decibel restrictions on venues.

- Most grassroot venues operate at around 100db without complaint from their neighbours.
- 90db is half that 100db volume (50%),
- 80db is a quarter of 100db loudness (25%).
- In asking for a live music venue to operate at 70db that is less than 13% of the volume that venues normally operate at. It is the sound of a vacuum cleaner, less than the average noise level of your TV or radio in your own home.

Three years ago, I asked you to remember my petition every time you saw a musician on the city's streets. Whether it was someone with a guitar strapped to their back, a towering stack of drums walking down the street, a jazz band unloading into a venue, a proud grandpa escorting one of the city's many young musicians to their first gig or an out of town band arriving at the station because Brighton is such a great place to play. I asked you to remember the petition.



This was because live music is everywhere in this city. It is so common we don't notice it any more. It's akin to how we forget to hear the waves when we take a long walk on the beach, because it's there ever present. I still need you to notice it, even now, because it is still under threat, it still needs your help and understanding. Thank you.

#### The Tourist website

The comments I am making here are because I am passionate about this city live, work and play in. I love being a party of this city. I mean no personal disrespect to anyone but I feel I should point out if something is not working.

Regardless of your political position, Brexit is going to make a difference. We are spoilt in this city with what the influx of tourists awards us - an abundance of shops, restaurants and leisure amenities we wouldn't normally be able to support. Will Brexit change all that? Will the foreign tourists and language students still come in the same numbers? Will it increase the number of the country's Staycationers and how can we keep ahead of that game? In the past seaside resorts like Margate, Blackpool and Rhyl became complacent over what they had and then declined dramatically as times changed. We must make sure Brighton & Hove doesn't become complacent in the face of Brexit and other changes.

Which brings me back to the council's tourist website VisitBrighton.com – our shop window as a city, how we offer what we have to the world to entice them in.

When I presented the petition back in 2015 one Councillor accused me of taking a pop at Visit Brighton when I highlighted the complete lack of music scene visibility on the site. Well if 7 of the official 'Top 50' things the city has to offer are not even in the city (including a golf club as far away as Uckfield) and it didn't reflect the live music scene at all, then I felt it far to take 'a pop'. I asked at the time "Who is this website made for?" and I'm now asking the same question again.

Since then the site has had a revamp. It's pretty, it's glossy, lots of huge pictures. It is not pushing far-away golf courses as a city attraction anymore but apparently out of town llama farms are a 'Must See'. Please do not get me wrong, I've no beef nor wish to disrespect the designer here. They will have been working to a brief and done that job very well.

The site reminds me of one of those glossy publications where companies get featured for buying adverts in the magazine. It looks wonderful but when you get down to it, it is devoid of real content. [Councillors I appreciate that for most of you with your normal council workload you may not have extensively looked at this site or be aware of its lack of actual content]

The layout of the site is extra large pictures scrolling across their screen. It's intuitive to click them as links but most of which do not take you anywhere if you do. The pictures are so big you do not realise there is text below them when you scroll, it's almost deliberate to hide the fact that there's not much text at all.

On the new 'Top 50 things to do in Brighton & Hove' page - 7 of the 50 are outside the city with "Go Ape Crawley" having 2 separate entries as does "Laughter Yoga and Chocolate Chuckles Brighton (Activity Organiser)". This isn't something to be laughing over though it is a complete joke. What is the criteria for being featured on the site? There is not a single mention of the live music scene.

The actual Music Venues page [<https://www.visitbrighton.com/things-to-do/entertainment-and-nightlife/music-venues>] is pretty sparse with mainly council own venues and – WOW! - Newhaven Fort as the top music venue on the list. Ironically buried deep on the council's .gov website is a much more informative page that captures most of the city's main venues and other music scene links [<https://www.brighton-hove.gov.uk/content/leisure-and-libraries/arts-and-culture/live-music>]. Please compare the two sites and you'll understand

what I mean. Surely with its importance to the city, the live music scene and its venues should have its own tab on Visit Brighton.

I could go on and on citing other neglected areas not just live music but I think you get the drift by now. Rather than be negative I'd prefer to give some positive pointers.

- Why not have a breakdown of the beaches and what you'll find there each with its own page. From Hove lagoon through to the marina – the family orientated beaches, basketball, i360, beach volleyball, even the nudist beach. Expand it further with the restaurants, cafes, bars and other points of interest around that section.
- Map out the city with link pages of all the local mini-neighbourhoods and what you'll find there.
- How about a map of where all the cycle stations are in the city and the cycle routes you can use them?
- Ask video bloggers to send you their take on the city and what it has to offer. For a link back to their blogging channel you'll get plenty of potential subscriptions for free.

These are just ideas off the top of my head. Open it up to the people who live and work in the city to come up with their suggestions for the top 50 and what should be and they'll tell you what we should be broadcasting about the city.

Councillors, Visit Brighton shouldn't be just pretty pictures on a website for the sake of it. It needs to be an integral part of the council's strategy to attract new people to the city and make it as appealing and informative as possible.

Many thanks for listening and please, each time you see a musician on the city's streets, remember this deputation and our amazing live music scene. Thank you.

### **Spokesperson Mark Stack**

Supported by:  
Jacqueline Mitrovic  
Robin Coward  
Alex Fraser  
Simon Hill  
John Robertson

<b>Subject:</b>	<b>Music Venues – Deputation:</b>		
	<b>Extract from the proceedings of the Council Meeting held on the 19 April 2018</b>		
<b>Date of Meeting:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Executive Lead for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mark Wall</b>	<b>Tel: 01273 291006</b>
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

***Action Required of the Tourism, Development & Culture Committee***

To receive the deputation referred from the Council for consideration.

**Recommendations:** That the deputation be noted and considered by the Tourism, Development & Culture Committee.

**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30pm 19 APRIL 2018****COUNCIL CHAMBER - HOVE TOWN HALL****MINUTES**

**Present:** Councillors Marsh (Chair), Simson (Deputy Chair), Allen, Atkinson, Barford, Bell, Brown, Cattell, Chapman, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Hyde, Janio, Knight, Littman, Mac Cafferty, Meadows, Mears, Miller, Mitchell, Moonan, Morgan, Morris, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Penn, Phillips, Robins, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls, West and Yates.

**PART ONE****86 DEPUTATIONS**

- 86.5 The Mayor reported that two deputations had been received from members of the public and invited Mr. Stack as the spokesperson for the second deputation to come forward and address the council.
- 86.6 Mr. Stack thanked the Mayor and stated that he had presented a petition to the council three years ago concerning the need for more music venues within the city. He stated the deputation before the council today was intended as a thank you for taking his previous deputation seriously and acting on it and to outline the outcome of that with the publication of the Live Music Venue Partnership report. He also wanted revisit his concerns about the Visit Brighton website; which he felt still not fully reflect what was on offer in the city rather than outside attractions.
- 86.7 Councillor Robins thanked Mr. Stack for presenting the deputation and noted that he had previously presented a petition on the issue of music venues to the council a few years ago which had led to a policy panel review and report to committee. He was very happy to take on board the points raised by Mr Stack in his deputation and hoped that he would continue to work with the council to improve matters.
- 86.8 The Mayor thanked Mr. Stack for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Tourism, Development & Culture Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

**WRITTEN QUESTIONS FROM MEMBERS**

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. A Member who asked a question may ask one relevant supplementary question which shall be put and answered by the Chair, Councillor Robins without discussion.

**(i) Councillor Mac Cafferty- Business case for WaterFront**

*Just last week (7th June) House of Fraser announced that about 6,000 jobs would be axed which follows the announcement only weeks ago that M&S will close 100 stores. Shopping habits are changing and there is uncertainty with Brexit. These are all things that will affect how viable shopping and big shopping centres are. Given that the business case for the bigger Churchill Centre last presented to Councillors is now 3 years old, when will the Committee be appraised of an updated business case which reflects the reality of what is happening on the high street?*

**(ii) Councillor Mac Cafferty- Rail**

*Further to the disruptive rail engineering works over the early Bank Holiday weekend, the rail timetable changes have been appalling for passengers but are also causing damage to the local economy. What communication has the administration had with Govia Thameslink Railway and the Department for Transport over timetable changes and the detrimental impact on our local economy? What assurances is the Chair seeking from the rail companies that key events for our local economy, such as Pride, won't be affected by either engineering works or timetable changes?*

**(iii) Councillor Mac Cafferty- Fracking policy**

*Since 2013 the City Council has had strong policy against fracking, with the designation of Brighton & Hove as a no-Fracking zone. There is a government consultation which controversially will make it many more times easier for fracking and acidising companies to apply for planning permission and Environment Agency licences. Further, the Written Ministerial Statement issued on 17 May 2018 by the Energy and Local Government Secretaries has for example proposed to classify non-fracking shale gas developments as permitted development, without the need for a planning application, and fracking proposals to be decided by a government-appointed inspector, rather than a local authority. Will the Chair assure us of this Council's continued opposition to fracking?*

(iv) **Councillor Nemeth- King Alfred**

*What estimate does the Chairman make of costs incurred to date by the Council in progressing the redevelopment of the King Alfred Leisure Centre since the project was revived in 2013?*

*[NB Please break down appropriately – I am particularly interested in approximate officer and consultant costs but would also like to see in there room hire, printing, etc.]*

(v) **Councillor Nemeth- Planning Enforcement**

*Will the Chairman provide updated figures for cases received, cases closed and total cases received for March/April/May 2018?*

(vi) **Councillor Nemeth- Marlborough House**

*Will the Chairman detail what progress has been made in taking enforcement action for recent planning breaches against the owner of Marlborough House since the last meeting of the committee?*

(vii) **Councillor Nemeth- Beach Hut Transfer Fees**

*At the March meeting of Tourism, Development & Culture Committee, I highlighted that the beach hut 'Terms & Conditions of Licence' document contains no provision for the Council's newly-introduced Transfer Fee. I requested the Council's updated position and was told that Legal would be in touch imminently. Given that three months have now passed, would the Chairman please confirm when the response from Legal that he requested will be sent to me?*

(viii) **Councillor Nemeth- HMO Planning Policy**

*Will the Chairman commit to introducing a Supplementary Planning Document (SPD) to address anomalies in the Council's approach to Houses of Multiple Occupation (HMOs)? The current arrangement appears to be very unclear on exactly what constitutes an existing HMO when calculating numbers within a 50m radius of a proposed development.*

Mr Geoff Raw,  
Chief Executive  
Brighton and Hove City Council

24th April 2018

Dear Geoff,

**Article 4 Direction for East Brighton Area.**

We are submitting this letter under Council Procedure Rule 2.3 to be included on the agenda for the Tourism, Development and Culture Committee meeting on 21<sup>st</sup> June 2018.

We are writing to urge the committee to agree that the East Brighton Ward is evaluated for coverage by an Article 4 Direction in order to better manage the spread of Houses in Multiple Occupation (HMOs) in the area and that work is undertaken to facilitate a request to the Secretary of State.

Local residents are becoming increasingly alarmed at the number of new HMOs being created with often small, terraced homes being converted with no planning consent needed and landlords taking full advantage of Permitted Development Rights to extend them.

At a recent public meeting organised by residents, concerns were expressed that the area is becoming unbalanced with family homes going to HMO landlords and rental profits placed before cohesive communities. Residents have seen the incremental intensification of HMOs in other areas of the city, including multiple changes of use from small to large HMOs and the effect this has had on immediate neighbours and the wider community.

In view of the fact that for the foreseeable future, private sector housing will continue to play a major part in meeting the housing needs of the city, we would request that the council urgently considers the pro-active expansion of Article 4 Direction alongside its other policies that seek to enhance the management and regulation of the sector.

Yours sincerely,



**Cllr Warren Morgan**  
**Cllr Nancy Platts**  
**Cllr Gill Mitchell**





<b>Council</b>	<b>Agenda Item 94 (4)</b>
19 April 2018	Brighton & Hove City Council

**NOTICE OF MOTION****HOVE LIBRARY PLANNING APPLICATION**

This Council resolves to:

1. Immediately call a halt to the proposed works to Hove Library following criticism from residents, campaigners, conservation societies and the Conservation Advisory Group (CAG) about the way in which the planning process was handled, until the go-ahead is given by the Cross-Party Hove Library Working Group (which was not consulted on the proposal); and
2. Requests the Chair of the Tourism, Development & Culture Committee to call for an officer report on the way in which application BH2017/03940 for works to the Library was advertised during the Christmas period and granted planning permission without either resident, councillor or CAG scrutiny, that includes specific proposals on both consultation period and councillor intervention to ensure that such an event does not happen again.



<b>Subject:</b>	<b>Report on Hove Library Listed Building Application in response to the Notice of Motion agreed at Council on 19 April 2018</b>		
<b>Date of Meeting:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Executive Director of Environment, Economy and Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Liz Hobden</b>	<b>Tel: 01273 29504</b>
	<b>Email:</b>	<b>Liz.hobden@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>Hove Central</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The report has been prepared in response to the Notice of Motion agreed at full Council on 19 April. It sets out how the listed building application at Hove Library (BH2017/03940) was advertised and determined under delegated authority. In addition a petition with 222 signatories was presented to the same meeting and referred to TDC Committee.
- 1.2 The report goes on to consider how best to respond to the concerns of councillors and recommend all future applications for Hove Library be determined by Planning Committee.

**2. RECOMMENDATIONS:**

- 2.1 That the committee notes 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.
- 2.2 That the committee requests 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.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The notice of motion requests:

*'The Chair of the Tourism, Development & Culture Committee to call for an officer report on the way in which application BH2017/03940 for works to the Library was advertised during the Christmas period and granted planning permission without either resident, councillor or CAG scrutiny, that includes*

*specific proposals on both consultation period and councillor intervention to ensure that such an event does not happen again.'*

- 3.2 The 222 signatory petition relating to Hove Library also went before April Council and was referred to this committee and the report addresses the petition which states:  
*"We the undersigned, deplore the fact that the Council made a Planning application to truncate the ground-floor book shelves at Hove's Carnegie Library without informing the Cross-Party working panel (set up after the untrustworthy 2015 plan collapsed) that this Application would be a part of current proposals. This behaviour goes against the democratic process by which Councillors are elected to act in the public interest. As such, we insist that the current proposal be halted - and an explanation be given why Councillors were treated in a high-handed way, for, of course, the ramifications of such an attitude are considerable."*
- 3.3 The listed building application for Hove Library (reference BH2017/03940) was received on 29 November 2017. The application was submitted by the city council's Architecture & Design Team and was for – *Installation of a ventilation grille to the rear elevation. Internal alterations to layout to facilitate the creation of new staff workrooms at ground floor and first floor levels, new toilet facilities to lower ground floor and associated alterations including new surface mounted waste pipe to basement.*
- 3.4 Consultation was carried out in accordance with the established practice for listed building applications which is to display a site notice and place an advert in the Brighton & Hove Independent newspaper. Consultations are not carried out with neighbours as many LBC applications relate to internal works only. In this case it included a 44cm by 44cm terracotta grill which was considered de minimis and not requiring planning permission. If a LB application is accompanied by a planning application, where external works are involved and represent 'development', then neighbour consultation is carried out. This approach exceeds the statutory requirements.
- 3.5 In addition, councillors receive a weekly list of all planning and listed building applications. This application was on the list dated 11 December (weekly lists are published on Mondays).
- 3.6 The consultation period for this application started on 8 December with the site notice and the expiry date for this was 29 December. The subsequent advert in the weekly Brighton & Hove Independent on 15 December (first date possible) expired on 5 January. As a result an additional week was given for comments, amounting to 28 days rather than the standard 21 days. It is acknowledged, however, that this was not ideal as it was carried out over the Christmas and New Year period. This was a consequence of the date the application was submitted (29 November).
- 3.7 Under the scheme of delegation (see appendix 2) the trigger for a listed building application going to Planning Committee for determination is that one of the following requirements needs to be met:
- There are 5 or more objections received by nearby residents within the 21 day consultation period ; or

- A ward councillor has requested for it go to committee for determination within the 21 day consultation period: or
  - Conservation Advisory Group (CAG) has requested that it be determined by Planning Committee.
- 3.8 This has been reviewed and none of these were triggered and as a consequence the application was determined under officer powers. In summary – only four of the 13 objection were received on or before 5 January. The representation from Cllr Wealls seeking the application to be determined by committee was received on 17 January outside the consultation period. In addition, CAG objected to the proposal but did not request determination by Planning Committee. All objections though were outlined in the officer report (see appendix 1).
- 3.9 Based on the information set out above it can be concluded that officers correctly followed the scheme of delegation and the decision cannot be revisited. .
- 3.10 Officer delegations can, of course, be reviewed and so far as matters relating to the Planning Committee are concerned any review would initially be considered by the cross- party Planning Committee Members’ Working Group (“PCMWG”). It is therefore recommended that the committee request the PCMWG to consider whether planning and listed building applications in respect of all or certain Council owned buildings should be determined by Planning Committee.
- 3.11 In terms of the timing of the publicity on this application over the Christmas and New Year period, it is acknowledged that this was not ideal. There is a concern, however, if longer periods of publicity were allowed over recognised holiday periods (such as Christmas, summer and Easter) that this would have a negative impact on the ability of the local planning authority to deliver an efficient and timely planning service. In practice because of the sequence of publicity given to applications (site notice followed by an advert) often more than 21 days of consultation is given for applications. For the reasons set out above it is proposed that this part of the Scheme of Delegation should remain unchanged.
- 3.12 The application was determined under officer authority and the report is attached in appendix 1. The proposal was carefully considered following the submission of additional evidence and comments from Heritage officers.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The alternative option is not to ask the Planning Committee Members Working Group to consider the scheme of delegation and whether applications on Council owned buildings and sites be determined by Planning Committee. However in view on the public interest and concerns raised by residents and councillors in relation to the Hove Library LB application that option is not considered to be acceptable.
- 4.2 The option of extending the time for consultation during holiday periods such as Christmas has been discounted on the basis that this will lead to challenges in providing timely planning decisions.

## 5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The report sets out details of how the listed building application for Hove Library was publicised.

## 6. CONCLUSION

- 6.1 The report sets out how the listed building application for Hove Library (reference BH2017/03940) was determined under officer powers under the scheme of delegation. It is concluded that officers followed the scheme of delegation correctly, however, that the timing of consultation was not ideal and that given the significant public interest in the site that future applications in relation to Hove Library should be referred to Planning Committee for determination
- 6.2 The report goes on to recommend that the committee requests that the cross-party Planning Committee Members' Working Group considers the scheme of delegation and whether all planning and listed building application made in respect of all or certain Council owned buildings should be determined by the Planning Committee.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 There are no significant financial implications from the report recommendations.

*Finance Officer Consulted: Gemma Jackson*

*Date: 22/05/18*

### Legal Implications:

- 7.2 The decision on the Hove Library listed building application (reference BH2017/03940) was lawfully made both in terms of publicity and the period allowed for representations, and also as being within the officer delegations set out in the Council's Constitution.

Should the Planning Committee Members' Working Group agree that the current officer delegations be amended such that all planning and listed building applications relating to all, or certain, Council-owned buildings are determined by Planning Committee the proposals will then be considered by the Constitution Review Working Group and Leaders' Group. Any changes to officer delegations must be agreed by Policy, Resources and Growth Committee.

*Lawyer Consulted: Hilary Woodward*

*Date: 11/5/18*

### Equalities Implications:

- 7.3 Equalities issues are relevant to how residents are consulted on planning and listed buildings applications and the scheme of delegation.

Sustainability Implications:

7.4 None

Any Other Significant Implications:

7.5 None

Corporate / Citywide Implications:

7.6 Broadening the scheme of delegation for planning applications to require planning decisions on council owned properties to go to Planning Committee will have implications for the timing of decisions.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Officer Report for the Hove Library Listed Building Application reference BH2017/83940
2. Executive Director Economy, Environment and Culture Town and Country Planning delegations

**Documents in Members' Rooms**

None

**Background Documents**

None





<b><u>No:</u></b>	<b>BH2017/03940</b>	<b><u>Ward:</u></b>	<b>Central Hove Ward</b>
<b><u>App Type:</u></b>	<b>Listed Building Consent</b>		
<b><u>Address:</u></b>	<b>Hove Central Library 182 - 186 Church Road Hove BN3 2EG</b>		
<b><u>Proposal:</u></b>	<b>Installation of ventilation grille to rear elevation. Internal alterations to layout to facilitate the creation of new staff work rooms at ground floor &amp; first floor levels, new toilet facilities to lower ground floor and associated alterations including new surface mounted waste pipe to basement.</b>		
<b><u>Officer:</u></b>	<b>Nicola Van Wunnik, tel: 294251</b>	<b><u>Valid Date:</u></b>	<b>07.12.2017</b>
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	<b>01.02.2018</b>
<b><u>Listed Building Grade:</u></b>	<b>Listed Building Grade II</b>		
<b><u>Agent:</u></b>	<b>Brighton &amp; Hove City Council Property &amp; Design Hove Town Hall Norton Road Hove BN3 3BQ</b>		
<b><u>Applicant:</u></b>	<b>Sally McMahon Jubilee Library Jubilee Street Brighton BN1 1GE</b>		

## RECOMMENDATION

**GRANT** Listed Building Consent, subject to the following Conditions and Informatives:

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### Informatives:

1. This decision is based on the drawings listed below:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	001		29 November 2017
Block Plan	002		29 November 2017
Floor Plans Proposed	004		29 November 2017
Floor Plans Proposed	005		29 November 2017
Large Scale Details	006		29 November 2017
Large Scale Details	007		29 November 2017
Large Scale Details	008		29 November 2017
Large Scale Details	009		29 November 2017
Elevations Proposed	010		29 November 2017
Door details	011		31 January 2018
Design and Access Statement			29 November 2017
Heritage statement			7 December 2017
Statement			31 January 2018

## SITE LOCATION & APPLICATION DESCRIPTION

This is a grade II listed building in the Old Hove Conservation Area. This building continues to be used for its original purpose as a public library and as such has a highly visible interior. It has been adapted in recent years to meet the changing nature of its use resulting from modern technology and the need for improved equal access. These changes have affected the interior.

Listed building consent is sought for the installation of a ventilation grille to the rear elevation and internal alterations to the layout to facilitate the creation of new staff work rooms at ground and first floor level, new toilet facilities to the lower ground floor and a new surface mounted waste pipe to the basement.

## **RELEVANT HISTORY**

None Relevant

## **REPRESENTATIONS**

Thirteen (13) letters of objection have been received raising the following points:

- o Any works that reduce the size of the library should not be considered.
- o To reduce facilities as part of this application is not keeping with the wish of the Hove residents to full maintain its much loved library service.
- o The reasoning for the removal of the shelving is not justified.
- o Library shelves being removed for no valid reason other than because matching ones have previously gone.
- o By reducing the shelving space would thoroughly destroy the integrity of the original radiating design.
- o The provision of new staff facilities seems to be at some cost to the fabric and integrity of the public areas of this listed building.
- o It is not appropriate to reduce the space available for displaying and storing of books.
- o Symmetry is not a valid reason to make changes of this nature.

## **CONSULTATIONS**

### **Historic England**

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

### **Conservation Advisory Group - Recommend Refusal**

The reason for the application is economic: toilets to the basement and removal of staff workroom would enable this area to be let for income generating purposes. However, the proposal for new staff workrooms on the ground and first floors the south west would destroy the symmetry of a Grade II Listed building in the Old Hove Conservation Area. Also the magnificent design would be lost.

### **Heritage**

#### **Original Comments Received**

This application proposes the re-location of staff facilities from the lower ground floor to ground and first floors in order to free up this space for a new use which would generate income.

The retention of the building's original use as a library is considered to be the best way to preserve as much of its internal character as possible. If this is only possible by alternative use of the lower ground floor in a way that is sympathetic, then this could be supported; further information on this would be helpful justification.

The ground floor planform has been altered in the past by the partial enclosure of the columns on the East side of the semi-circular space. This has harmed the original proportions and volume of the space and the currently proposed work area will add to this harm, although it is positioned symmetrically with the columns visibly framing the space. Such harm could be justified on the basis of the retention of the library use for this building.

The currently proposed works to the first floor are generally considered respectful both to the layout and detailing of the original building. The exception to this is the proposed door D4, and it is considered that its design and detail should be a better match to the original doors and this will only be possible with a purpose made item.

The existing concierge space shows evidence of having been converted from a wc, and therefore the proposals for additional toilet facilities at this location on the lower ground floor are considered appropriate. Reassurance is required that the proposed vinyl floor covering will be fixed in such a way as to be reversible and not cause damage to the existing terrazzo surface, likewise proposed coverings for the parquet floors should not be fixed in a way that would damage them.

The internal drainage proposed at high level in the lower ground floor area will also be harmful, however this part of the interior is already affected by services and alternative less harmful solutions are not available. The proposed terracotta vent is acceptable.

#### **Additional Heritage Comments following Additional Information**

Background to the application has been submitted which explains the need for income generation to keep the library use for which the building was designed. The loss of this use would result in the need to accommodate another occupant that would not cause harm the significance of the building, or harm that would be outweighed by the resulting public benefit. It is therefore considered that these efforts to ensure that the library service remains in this building are proportionate and can be supported by the Heritage Team.

The amendment to D4 is welcomed and assurances about the impact of new floor coverings are acceptable. There are no outstanding issues and the application is supported by the Heritage Team.

#### **MATERIAL CONSIDERATIONS**

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report

The development plan is:

- o Brighton & Hove City Plan Part One (adopted March 2016);
- o Brighton & Hove Local Plan 2005 (retained policies March 2016);
- o East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- o East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);

Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

## **POLICIES**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP15 Heritage

#### Brighton & Hove Local Plan (retained policies March 2016):

HE1 Listed Building Consent

HE4 Reinstatement of original features on Listed Buildings

HE6 Development within or affecting the setting of conservation areas

#### Supplementary Planning Guidance:

SPGBH11 Listed Building Interiors

#### Supplementary Planning Documents:

SPD09 Architectural Features

## **CONSIDERATIONS & ASSESSMENT**

The main considerations in the determination of this application relate to whether the proposed alterations would have a detrimental impact on the character, architectural setting and significance of the grade II listed building and the wider Old Hove Conservation Area.

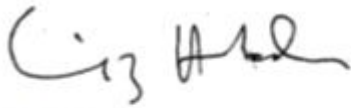
The heritage team requested additional information regarding the need for income generation to support the upkeep and continued use of the library, revisions to the new internal door and further details regarding the fixing of floor coverings. This information was subsequently provided by the applicant.

The heritage team have confirmed that the proposed works would not harm the historic character or appearance of the grade II listed building or wider conservation area in accordance with policies HE1, HE4 & HE6 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

## **EQUALITIES**

None identified

I have considered and agree with the reasoning in this report and authorise the grant of Listed Building Consent, subject to the Conditions and Informatives set out above.

A handwritten signature in black ink, appearing to read 'Liz Hobden', written in a cursive style.

Liz Hobden  
Head of Planning  
City Development and Regeneration

Signature of Reviewing Officer: Stewart Glassar

Dated: 20 March 2018



## Appendix 2

### Scheme of Delegations to Officers relating to Planning

October 2017

#### 14. Land Use Planning

- (1) To prepare and keep under review the Authority's Plan and Local Plan (subject to the adoption of the Plans by resolution of the Council).
- (2) To assume overall responsibility for planning policy and practice.
- (3) To advise the Planning Committee on planning policy, conservation and the traffic impacts of any proposed development

#### 15. Town and Country Planning

- (1) To determine applications in relation to matters listed under Part I of **Schedule 4** to this Scheme of Delegation having regard to the Council's relevant planning policies and published guidelines.

PROVIDED THAT the powers delegated under the above shall NOT apply where:-

- (a) 5 or more individual written objections relating to material planning considerations pertinent to the application in question have been received within the public consultation period from separate persons or bodies in relation to applications that officers are minded to approve, or where 5 or more individual written expressions of support from separate bodies or persons have been received within the public consultation period in relation to applications that officers are minded to refuse. Only written objections or expressions of support received from persons who live in the immediate vicinity of the application site or who otherwise may reasonably be considered to be potentially directly affected by the proposed development will be taken into account in determining the relevant number of representations required by this paragraph ; or

- (b) Conservation Advisory Group (CAG) or Disabled Access Advisory Group (DAAG) requests, within the public consultation period, that an application is determined by the Planning Committee. In making the request CAG or DAAG shall state whether it would be seeking an approval or refusal of the application. If officers' determination of the application under delegated powers would be in accordance with that request then the request shall be deemed to have been withdrawn; or

- (c) a ward Councillor requests, within the public consultation period, that an application within his or her ward is determined by the Planning Committee. In making that request, the Councillor shall state whether he/she would be supporting an approval or refusal of the application and shall give their reason or reasons in writing as to why they consider the application should be determined by Committee and shall set out their representations on the application as part of their request. Ward Councillors making such requests may attend and address the Committee when the application falls to be determined or may ask for their representations to be read out at the meeting. If officers' determination of the application under delegated powers would be in accordance with that request then the request shall be deemed to have been withdrawn. (NB In any case where the Ward Councillor is also a member of the Planning Committee and the application is referred to the Committee for determination, he/she will, if present, having exercised his/her right to make an oral representation to the Committee, need to leave the meeting during the consideration of the application); or

(d) Rottingdean Parish Council requests, within the public consultation period, that an application within the Parish Council area is determined by the Planning Committee. In making the request the Parish Council shall state whether it would be seeking an approval or refusal of the application. If officers' determination of the application under delegated powers would be in accordance with that request then the request shall be deemed to have been withdrawn.

(2) To exercise the Council's functions in respect of certificates of lawful use, tree preservation orders, enforcement action etc as more particularly set out in Part II of **Schedule 4** to this Scheme of Delegation.

## **SCHEDULE 4**

### **Functions delegated to the Executive Director Economy, Environment and Culture in relation to Planning:**

#### **Part I**

(1) To determine planning applications (including identifying the need for and the settling of terms of Planning Obligations under S106 of the Town and Country Planning Act 1990, the imposition of conditions where consent is granted and the renewal of existing permissions) where the applications relate to the following categories of development:-

(i) alterations/extensions to single dwellinghouses and buildings containing residential flats;

(ii) works within the curtilage of buildings which are incidental to their lawful use;

(iii) changes of use;

(iv) applications submitted pursuant to Article 4 Directions;

(v) alterations to or installation of shop fronts;

(vi) the provision of no more than 9 new dwelling units (net increase), either by the construction of new buildings or by conversion of existing buildings;

(vii) extensions and alterations to non-residential buildings;

(viii) applications relating to the formation of accesses, fire escapes, replacement windows, flag poles, the erection of and alterations to walls, fences or other means of enclosure, floodlights, radio and TV masts, telecommunications apparatus, material changes to the external appearance of buildings, including extensions;

(ix) renewals of temporary permissions;

(x) applications to vary or delete conditions attached to planning permissions;

(xi) all other minor planning applications not referred to above.

(2) Applications for consent under the Advertisements Regulations.

**(3) Applications for Listed Building Consent.**

(4) To undertake all consultations, notifications and publication of advertisements on behalf of the Council in relation to any of the matters listed above.

#### **Part II**

(1) To determine applications for certificates of lawfulness of existing or proposed uses or development under Sections 191 and 192 of the Town and Country Planning Act 1990.



(2) To make Tree Preservation Orders and Provisional Tree Preservation Orders and, unless valid objections are received, to confirm such orders in accordance with statutory requirements.

(3) To determine applications for works to, and the felling of, trees included in Tree Preservation Orders and in Conservation Areas.

(4) After consultation with the Executive Lead for Strategy, Governance and Law (and Monitoring Officer) :-

(a) to take enforcement action including the service of formal Notices (including all preparatory work thereto and the service of planning contravention notices) and to authorise the institution of legal proceedings where necessary;

(b) to authorise the removal of enforcement notices from the Local Land Charges Register where appropriate.

(5) To determine detailed submissions pursuant to conditions on planning permissions; and to determine reserved matters applications pursuant to minor and other non-major planning applications.

(6) To determine applications for non-material amendments to approved schemes.

(7) To determine applications for Certificates of Appropriate Alternative Development pursuant to Section 17 of the Land Compensation Act 1961.

(8) To submit observations on behalf of the Local Planning Authority in respect of consultations (on planning matters) by government departments, other local authorities, local government associations and statutory or regulatory bodies.

(9) To determine on behalf of the Council applications for prior approval where such determinations are required under The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

(10) To exercise the Council's functions in respect of Environmental Impact Assessment screening / scoping under The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 2011 and in respect of the Environmental Assessment of Plans and Programmes Regulations 2004.

(11) To undertake all consultations, notifications and publication of advertisements on behalf of the Council in relation to any of the matters listed above.

(12) To exercise the Council's powers to decline to determine subsequent, overlapping and retrospective applications as defined in sections 70A to 70C of the Town and Country Planning Act 1990



<b>Subject:</b>	<b>Draft City Plan Part Two</b>		
<b>Date of Meeting:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Executive Director Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Helen Gregory</b>	<b>Tel:</b> 01273 292293
	<b>Email:</b>	<a href="mailto:Helen.gregory@brighton-hove.gov.uk">Helen.gregory@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report seeks approval of the draft City Plan Part Two, along with its supporting documents, for a ten week period of consultation during July and September 2018. Copies of the draft City Plan Part Two have been circulated to Members and published on the council website alongside the agenda and copies of the supporting documents have been placed in the Members' Rooms.
- 1.2 The main role of City Plan Part Two is to support the implementation and delivery of City Plan Part One (adopted March 2016). It builds on this strategic Plan and will help facilitate high quality development by allocating additional development sites and setting out an up to date suite of detailed development management policies.
- 1.3 Once adopted, Part Two will also replace the currently retained 2005 Brighton & Hove Local Plan (BHLP) policies to provide a more streamlined and straightforward set of development management policies. This will result in one City Development Plan (Parts 1 and 2) which will be simpler to use for the development management service, developers and residents; and address a recommendation in the 2016 LGA/PAS Peer Review.
- 1.4 A number of background evidence studies have been completed which provide further background and supporting information to support City Plan Part Two. Appendix 3 provides an outline of the purpose of the studies and a summary of the key findings. Copies have been placed in the Members' Rooms.

**2. RECOMMENDATIONS:**

That the Committee:

- 2.1 Notes 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);
- 2.2 Approves the publication of the draft City Plan Part Two including proposed draft changes to the Policies Map; draft City Plan Part Two Implementation and

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; and

- 2.3 Approves 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) and 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.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Brighton & Hove City Plan Part One (CPP1) was adopted in March 2016 and contains strategic policies setting out the overall amounts of development (housing, employment, retail etc.) required across the city to 2030 and the broad locations and Development Areas where new development will take place. It allocates key strategic sites and also sets out key citywide policies to guide development including urban design, transport, affordable housing, biodiversity and sustainability policies.
- 3.2 The role for the City Plan Part Two (CPP2) is to support the implementation and delivery of CPP1. It builds on the strategic framework; identifies and allocates additional development sites; and sets out a more detailed and positive development management policy framework to assist in the determination of planning applications. It will also help to deliver other city council strategies, for example the Economic Strategy and Housing Strategy. It covers the same time period (up to 2030) and geographical area as the CPP1.
- 3.3 It is recommended that the draft CPP2 and supporting documents be published for public consultation for ten weeks during July and September. Comments received during this time will be collated and will inform the Council's final version of the City Plan Part 2 that is due to go to Tourism Development & Culture Committee and full Council in September 2019. It will then be submitted to the Secretary of State for examination following a six week period of consultation on soundness issues.

#### **City Plan Part 2 Scoping Consultation June – September 2016**

- 3.4 Scoping Consultation was undertaken in summer 2016 to help identify the issues that the CPP2 needed to address and included a 'call for sites' exercise. A comprehensive schedule of stakeholder events was organised including a stakeholder event (with representatives from amenity and resident groups and Local Action Teams); a Professional Forum event (with representatives from

developers, architects planning and commercial agents); a sustainability and environment workshop (with representative of sustainability organisations, environmental groups and transport organisations) and a bespoke event organised by the Brighton & Hove Economic Partnership. This pro-active approach recognised this was an early stage in preparing CPP2 and there was greater scope for influencing and shaping the document and the engagement period was 3 months. Over 400 people attended the various events

3.5 As well as views collated at the events the council received 197 formal responses resulting in almost 3,000 individual representations. These are summarised in Appendix 2 of this report but note the full summary and comments from workshops are set out in Appendices 4 and 5 of the full Consultation Statement which is available on the council website (<http://www.brighton-hove.gov.uk/content/planning/planning-policy/city-plan-part-two>) and included in the Members' Rooms. Key issues raised included:

- Strong support to make the most of housing delivery on brownfield sites provided this does not lead to over-development.
- A mix of responses were received in relation to urban fringe sites; many supported the positive roles these site could play in terms of family and affordable housing provision; some raised concerns regarding traffic generation and impacts; only seven respondents objected to the principle of any development on urban fringe sites.
- Strong support for the inclusion of internal space standards and higher access standards in new housing;
- Concerns for better management of HMOs and strong support for identifying Purpose Built Student Accommodation sites;
- Broad consensus on the need for more detailed policy on transport; building on CPP1 CP9 Sustainable Transport and the need to address transport and air quality issues and strong support for park and ride;
- Concern with unregulated growth of short-term holiday lettings and need for further guidance on seafront development proposals;
- Support for further policy on low and zero carbon energy;
- Support for a place making policy and for such a policy to focus on the assessment of proposals on a street/site scale;
- Support for a less restrictive extension and alterations policy;

### **Draft City Plan Part Two Content**

3.6 The structure of the CPP2 includes:

- **46 development management policies** arranged in the following topics: Housing, Accommodation and Community (including HMO and student housing policies), Employment and Retail, Design and Heritage, Transport and Travel and Environment and Energy.
- A new **Special Area Policy for Benfield Valley** to ensure a coordinated policy approach to ensure the positive and ongoing management and maintenance of Benfield Valley's open spaces, wildlife habitats and heritage assets whilst allowing some development.
- **7 Strategic Site Allocations** – larger mixed use sites (including the Brighton General Hospital site and Sackville Trading Estate and Coal Yard)

- A **schedule of 59 housing sites** (brownfield and urban fringe site allocations) and 2 Purpose Built Student Accommodation sites (Lewes Road Bus Garage and 118-130 London Road).
  - Additional **employment site opportunity** at Hangleton Bottom alongside its safeguard as a waste site.
- 3.7 A draft policies map has been prepared which will identify the proposed development sites, updates a number of designations and removes those allocations/ designations related to superseded BHLP policies.

### **Proposed Development Management Policies**

- 3.8 The proposed suite of development management policies provide a positive, more streamlined and straightforward set of development management policies for decision making replacing the 91 currently 'retained' 2005 Brighton & Hove Local Plan policies. The draft policies have been prepared to be positively worded and consistent with the requirements of national policy (National Planning Policy Framework - NPPF) and the strategic policies in the City Plan Part One. Draft changes to the NPPF have recently been consulted upon by the government and the final/ submission version of the Plan will need to be consistent with the final published NPPF (estimated end of summer 2018).
- 3.9 Some of the key matters addressed within the development management policies include:
- Introducing the government's minimum internal space standards and higher accessibility standards for new housing;
  - Additional policy with new criteria to address HMO concentrations; both at the immediate and wider neighbourhood level;
  - Additional policy to manage the type and quality of purpose built student accommodation;
  - New policy to protect public houses;
  - Updated retail protection policies including the identification of important neighbourhood parades;
  - New Special Area retail policies for Brighton Marina and the Seafront;
  - Place making policy – to ensure high quality design and places;
  - Royal Pavilion Policy – to improve visitor experience and coordinate management of the estate;
  - Criteria-based policy for transport interchanges such as Park & Ride, Lorry and Coach parking;
  - New development to include infrastructure to support use of low emission vehicles;
  - New designation of four Local Green Spaces; and
  - Additional energy standards to support energy efficiency and CO2 emission reductions.

### **Proposed Site Allocations/ Designations**

- 3.10 The City Plan Part One sets the city's strategic housing target of 13,200 homes to be delivered over the plan period (2030). Strategic site allocations in City Plan Part One account for a proportion of this but CPP1 recognised that further site allocations would need to be made through CPP2 to help demonstrate that the

city can meet its planned housing requirement. Following the Inspector's examination and report, the CPP1 indicated further site allocations would need to consist of both brownfield and urban fringe sites. A limited number of urban fringe sites are proposed for allocation in the draft CPP2 and will provide an opportunity to secure family and affordable housing, new and accessible open space as well as opportunities for custom/-self build or community-led housing.

- 3.11 Policy CP3 Employment Land in CPP1 sets out the approach for safeguarding and bringing forward new employment floorspace. Through the CPP2 opportunities for new employment floorspace have been considered to address the shortfall of sites to meet forecast demands. These opportunities consist of strategic site allocations, mixed use housing sites and identifying the opportunity for employment uses to come forward on Hangleton Bottom site where these would not prejudice the site's allocation for a strategic waste facility.
- 3.12 Seven Strategic Site Allocations have been identified. These sites offer the opportunity for mixed use development of a certain scale and have arisen from the CPP2 call for sites exercise or emerged through discussions with landowners / developers. Opportunities for these sites to address city-wide health and community needs have also been considered. Two of the strategic site allocations (SSA5 Madeira Terrace and Madeira Drive and SSA6 Former Peter Pan site) support the on-going regeneration of the seafront.
- 3.13 Two additional purpose built student housing sites have identified (Lewes Road Bus Garage and 118-130 London Road). Guided by an updated study of demand for hotels in the city, opportunity search areas for new hotels have been included in CPP2 to guide site searches but no new sites have been identified.
- 3.14 The 2014 Gypsy and Traveller Accommodation Needs Assessment identified a need for 19 permanent pitches for Gypsy and Travellers to be delivered within the city up to 2028. A robust site assessment exercise has been undertaken in conjunction with the South Downs National Park Authority however no suitable sites were able to be identified. Moving forward, this issue will need to be addressed through the Duty to Co-operate and by further review and update of the needs position.
- 3.15 Local Wildlife Sites (formerly SNCIs) are non-statutory sites but are recognised by the Government as making a vital contribution to biodiversity and are protected through national planning policy (paragraph 113 NPPF). The Brighton & Hove SNCI review was undertaken in 2013, too late to be taken through the CPP1. The recommendations were reviewed through the 2018 Local Wildlife Site Review to endorse the 2013 findings and to ensure that the recommended suite of Local Wildlife Sites is robust and fit for inclusion in the CPP2. The 2018 study recommends 50 local wildlife sites and 7 candidate wildlife sites. Formal designation, for planning purposes will be through the adoption of the City Plan Part 2. As part of the consultation on the CPP2, the owners of the LWS will be notified of designations.

### **Supporting Documents**

- 3.16 The CPP2 has to be prepared in accordance with the Planning and Compulsory Purchase Act 2004; the Town and Country Planning (Local Planning) (England)

Regulations 2012; the Environmental Assessment of Plans and Programmes Regulations 2004; and the Conservation of Habitats and Species Regulations 2017. Therefore a number of supporting documents are also required to accompany the draft CPP2 and these are outlined below.

- 3.17 A **Sustainability Appraisal (SA)** has been undertaken to help to refine the policy options and to test the suitability of site allocations. It has also tested the draft policies against the principles of sustainable development. The SA has led to a series of amendments to the draft CPP2 policies. Copies of the full SA and a non-technical summary of the SA have been made available in the Members' Rooms.
- 3.18 A **Health and Equalities Impact Assessment** has been undertaken to ensure the draft policies are coordinated to address equalities, health and well-being outcomes throughout the city. The study found that where there was potential for impact, this was generally positive and many policies were found to be inclusive for various communities. Some policies have specific positive effects for certain groups, for instance older people and disabled people, particularly policies in relation to housing and those that improve accessibility. Some policies have been refined through recommendations arising from the HEQIA.
- 3.19 **Habitats Regulation Assessment** – a Habitats Regulations Assessment (HRA) is required for any proposed plan or project which may have a significant effect on one or more European sites and which is not directly related with or necessary to the management of those sites. The purpose of the HRA is to determine whether or not significant effects are likely and to suggest ways in which they could be avoided. An HRA screening has been carried out to establish if the CPP2 might have any Likely Significant Effects (LSEs) on any European site. This has screened out all potential impacts on European sites with the exception of air quality impacts on the Ashdown Forest SAC and SPA, where more detailed evidence is needed to satisfy the requirement for 'appropriate assessment' in the HRA Regulations. Further traffic and air quality modelling is now underway which will be completed and made available for the start of consultation.
- 3.20 **Implementation and Monitoring Targets** – a set of proposed implementation and monitoring targets have been prepared to support the CPP2 policies and ensure policies are effectively monitored and support delivery of housing
- 3.21 **Statement of Consultation** – sets out the consultation undertaken at the Scoping stage, a summary of consultation responses and how the draft policies address the consultation responses.
- 3.22 **Background Evidence** - the National Planning Policy Framework makes clear, that to be sound, a Local Plan should be positively prepared; justified, effective and consistent with national policy. Much of the evidence that supported the CPP1 remains relevant for the preparation of CPP2. However a number of background studies have been completed which provide evidence to inform the drafting of policies and site allocations. The study findings and recommendations are summarised in Appendix 3 and copies placed in the Members' Rooms. Topic papers have also been prepared to outline the approach to site allocations,



housing provision and retail frontages and copies have been made available in the Members' Rooms.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 It is important that the Council has a complete up to date and robust planning policy framework. Whilst the CPP1 provides the overarching strategic planning policies for the City, the eight Development Areas and 23 strategic allocations, it does not allocate all of the sites that will be required to meet the city's identified needs such as housing. Nor does it include a full set of up-to-date detailed development management policies. City Plan Part Two will provide a full policy framework to deliver the strategy.
- 4.2 The process of preparing the draft City Plan Part Two involves testing of reasonable alternative policy options. This testing includes consultation, a robust evidence base and the Sustainability Appraisal.
- 4.3 The Committee could defer or decide not to consult on the draft CPP2, however this would mean that the Council would not have a complete, up to date Development Plan to guide development across the city and would increase the risk of planning applications being allowed at appeal. This option is therefore not recommended.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 A Statement of Consultation has been prepared which details the consultation that was undertaken on the CPP2 Scoping Consultation, the consultation responses received through formal written responses and at the various consultation events and how the preferred approach set out in the draft CPP2 address these representations.
- 5.2 Internal consultation with relevant council departments and teams (including Housing, Transport, Economic Development and Environmental Health) has been undertaken in the drafting of policies. Regular meetings of the Internal Officers Advisory Group – that includes representatives from relevant council departments - were held during the preparation of the draft CPP2 and their advice and comments sought to ensure close links to other city council strategies.
- 5.3 The Cross-Party Working Group on the City Plan has been engaged on the outcomes of the Scoping Consultation and proposed structure of the CPP2.
- 5.4 Draft City Plan is the 'shaping stage' of consultation. Engagement and consultation responses will help to inform the preparation of the Council's final or 'Submission' City Plan Part Two. Consultation on the Draft City Plan Part Two will accord with the statutory requirements; the approach and standards set out in the council's adopted Statement of Community Involvement and take into account the Community Engagement Framework (the city council's policy for involving people, communities and stakeholders in preparing plans). The statutory period of consultation is six weeks. Mindful of the Community

Engagement Framework and the summer months this will be extended to ten weeks.

- 5.5 The draft CPP2 along with all the supporting documents will be made available on the council's website and through the consultation portal and also at the council's main deposit points (the customer service centres and Jubilee, Hove and Portslade Libraries). Copies of the draft CPP2, policies map and non-technical SA will also be made available at the other city libraries. A summary 'quick guide to the CPP2' and guidance about how to make comments will be prepared along with posters to help publicise and inform people on the draft City Plan Part Two. A press release will be prepared and City Plan consultees will be notified. The draft CPP2 will be taken to the relevant city partnerships and presentations will be arranged with key stakeholders.

## **6. CONCLUSION**

- 6.1 The main role of City Plan Part Two is to support the implementation of City Plan Part One (adopted March 2016) and to deliver high quality development and places in the city. It allocates additional development sites and will provide an up to date suite of detailed development management policies.
- 6.2 Approval is needed to publish a draft Plan for consultation to progress the preparation of the CPP2 and to ensure the council has an up to date planning policy framework to replace the retained Brighton & Hove Local Plan policies.
- 6.3 CPP2 it is required to go through several stages of consultation in accordance with statutory requirements and regulations before it can be adopted. Approving the draft CPP2 will allow comments to be sought on the draft policies which will inform the final/submission version of the CPP2.
- 6.4 A complete, up to date Development Plan will provide greater certainty and allow policies at the local level to address local issues and to be fully compliant with up to date requirements. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 planning applications will then be determined in accordance with the Development Plan, including the City Plan Part 2, unless material considerations indicate otherwise.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The cost of officer time, production of documents and consultation associated with the recommendations in this report will be funded from existing 2018-19 revenue budgets within the Planning service.
- 7.2 It is anticipated that future costs associated to future stages of adopting the City Plan Part Two will also be funded from approved revenue budgets, subject to future reports to this Committee. Any future variations between approved budgets and expenditure will be reported as part of the budget monitoring process and considered as part of the service budget strategy.

Finance Officer Consulted: Gemma Jackson

Date: 15/05/18

#### Legal Implications:

- 7.3 The development plan is of primary importance in the determination of planning applications (s38(6) of the Planning and Compulsory Purchase Act 2004 and s70 (2) of the Town and Country Planning Act 1990). The process to be followed in preparing and adopting development plans is set out in the Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Planning) (England) Regulations 2012.
- 7.4 Regulation 18 of the 2012 Regulations provides that in preparing a development plan the local planning authority must invite representations about what the plan ought to contain. Any representations made must be taken into account in preparing the plan.

Lawyer Consulted: Hilary Woodward

Date: 15/5/18

#### Equalities Implications:

- 7.5 The Plan will help deliver equalities outcomes from new development. A Health and Equalities Impact Assessment (HEQIA) has been carried out on the draft policies to ensure that the policies are coordinated to address equalities, health and well-being outcomes throughout the city. See paragraph 3.16 for further details.

#### Sustainability Implications:

- 7.6 A Sustainability Appraisal (SA) incorporating the requirements of Strategic Environmental Assessment (SEA) has been prepared to inform and support the City Plan Part Two. The Plan will therefore support the delivery of sustainable development and outcomes.

#### Crime & Disorder Implications:

- 7.7 The City Plan Part 1 addressed crime and disorder issues through Development Area proposals, special area policies and a number of citywide policies. During the drafting of the City Plan Part 2 the site assessment and sustainability assessment process has considered crime and disorder issues. A number of policies also address crime and public safety issues (DM8, DM18, DM20, DM23, DM24, and DM40).

#### Risk and Opportunity Management Implications

- 7.8 Consulting on the draft City Plan will help ensure a sound development plan can be justified and should ensure that there are fewer objections to the plan, or issues arising at the publication stage. Regular meetings with the Cross Party Working Group has enabled preparation of the draft City Plan to be discussed at an early stage therefore reducing uncertainty when key decisions are made.

### Public Health Implications:

- 7.9 A HEQIA assessment has been carried out to inform the draft version of the City Plan Part Two to ensure that the policies are co-ordinated to address health and well-being outcomes throughout the city. See paragraph 3.16 for further details.

### Corporate / Citywide Implications:

- 7.10 The City Plan Part Two will help with the implementation and delivery of priorities set out in the City Plan Part One. It will contribute to delivering the Corporate Plan, Plans and Strategies across the city council directorates and the Sustainable Community Strategy. The City Plan Part Two will also help to deliver city-wide strategies of public and voluntary sector partners and promote investment and economic growth.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Draft City Plan 2 (copies circulated to Members and published on the council website alongside the agenda)
2. Summary of Consultation Responses to Scoping Consultation CPP2
3. Summary of Background Studies

### **Documents in Members' Rooms**

1. Statement of Consultation
2. Sustainability Appraisal of Draft City Plan Part 2 and Non-technical summary
3. Proposed CPP2 Implementation and Monitoring Targets
4. Health and Equalities Impact Assessment
5. Habitats Regulation Assessment – screening report
6. Urban Fringe Further Assessment - Ecology and Landscape and Archaeology (2015)
7. Brighton & Hove Housing and Employment Land Study (December 2017);
8. Brighton & Hove and South Downs National Park Authority Gypsy and Traveller Site Assessments (2017) and Brighton & Hove Detailed traveller site assessment (July 2017);
9. Lyon Close, Hove Report of Design Workshop (2017);
10. Brighton & Hove Visitor Accommodation Update Study (2018);
11. Brighton & Hove Wildlife Sites Review (2018);
12. SHLAA Update 2017;
13. Brighton & Hove CPP2 Energy Study (2018)
14. Topic Paper Site Allocations
15. Topic Paper Shopping Frontage Review
16. Topic Paper Housing Provision

### **Background Documents**

1. City Plan Part Two Report 16 June 2016 Economic Development & Culture Committee
2. City Plan Part Two Scoping Report (June 2016)
3. Adopted City Plan Part 1 (March 2016)

## Appendix 2 City Plan Part Two - Scoping Consultation – Summary of formal responses

### Numbers of representations received per topic and summary of key issues raised

Chapter Topic	Number of Reps	Key issues Raised
Housing (21 questions)	1,087	<p><b>Brownfield sites:</b></p> <ul style="list-style-type: none"> <li>• Strong support for brownfield site development and allocation of sites through CPP2.</li> <li>• Should review site capacities; increase densities to optimise capacity and boost housing delivery</li> <li>• Support for policy to require optimal use of brownfield sites but also concern this could lead to over-development.</li> <li>• Set out clear design parameters to inform and guide site capacities, heights of buildings etc</li> <li>• Review tall buildings guidance and selective application of Conservation Area policy.</li> <li>• Encourage more innovative forms, models and mechanisms for housing delivery</li> </ul> <p><b>Urban Fringe sites:</b></p> <ul style="list-style-type: none"> <li>• Some objection in principle to any development on UF sites</li> <li>• Further consideration re. improving links with SDNP, providing GI and open spaces/ connectivity between urban and rural areas</li> <li>• No allotment sites to be built on – allotments must continue to receive protection</li> <li>• Concerns regarding traffic generation and infrastructure impacts and cumulative impacts across sites</li> <li>• Design issues important; protect local character of existing communities</li> <li>• UF sites offer good opportunity for family housing and for affordable housing</li> <li>• Some felt potential of UF sites underplayed; could do more</li> </ul> <p><b>Housing Mix considerations</b></p> <ul style="list-style-type: none"> <li>• Set out evidence base re. local housing needs</li> <li>• Policy should not be too prescriptive; flexibility required</li> <li>• Mix could be guided through general residential and design policies</li> <li>• Strong need for more family housing, for affordable housing and for older persons housing and supported housing</li> <li>• How to address needs of local residents?</li> <li>• Require student housing to contribute to affordable housing</li> <li>• Build more public sector housing on brownfield sites</li> <li>• Support CLT initiatives and other non-commercial housebuilding</li> <li>• Limit HMOs in areas of high concentration</li> </ul>

		<p><b>Retaining housing</b></p> <ul style="list-style-type: none"> <li>• General support for policies to resist the loss of existing housing where stock is of reasonable quality and in good repair</li> <li>• Recognition that redevelopment could, in some circumstances, lead to more and better quality housing.</li> <li>• More protection of family housing</li> <li>• Issue of second home ownership raised and ‘party houses’ seeking more control over this.</li> </ul> <p><b>Private Residential Amenity Space</b></p> <ul style="list-style-type: none"> <li>• General support for policy requiring appropriate private amenity space</li> <li>• Communal space could make appropriate contribution in flatted development</li> <li>• Policy should not be too prescriptive</li> </ul> <p><b>Space and Access Standards</b></p> <ul style="list-style-type: none"> <li>• Overall, strong support for space standards and higher optional access standards</li> <li>• Needs to be evidence based and viability tested</li> <li>• Flexibility required to facilitate more innovative housing solutions</li> <li>• Site specifics need to be taken into account</li> <li>• Could all the requirements be set out in a Housing SPD?</li> </ul> <p><b>HMOs</b></p> <ul style="list-style-type: none"> <li>• Considerable concern regarding numbers of HMOs in parts of the city and impacts on communities</li> <li>• Some support for dropping the protection of HMOs (as in 2005 Local Plan) although some respondents recognised that HMOs can offer cheaper form of housing for some.</li> <li>• Deliver more PBSA to take pressure off family homes</li> <li>• Expand Article 4 area and increase licensing</li> <li>• Better enforcement</li> </ul> <p><b>Other Housing Issues:</b></p> <ul style="list-style-type: none"> <li>• The need to regulate Airbnb in the city</li> <li>• Need to address ‘party house’ issue</li> <li>• Revisit taller buildings policy and guidance</li> <li>• Explore food growing opportunities as part of new development</li> <li>• More monitoring required to include second home ownership, party houses, properties bought by investment companies</li> <li>• Mixed use development should not risk employment space</li> <li>• Prioritise local people, plan for communities where people can interact.</li> </ul>
Economy & employment (12 questions)	87	<p>Whilst some support for further office allocations there were also comments on the need to make best use of existing opportunities.</p> <p>General views on how to support delivery – mixed use might</p>

		<p>help some sites but other suggestions made – particularly use of council assets.</p> <p>Whilst support for current A4D not overwhelming support for extension of area.</p> <p>Support for mixed use sites and some suggestions put forward for mixed use site allocations (Hippodrome, Peacock Industrial Estate sites along Davigdor Road) although two respondents thought in response to general question that aspects of EM10 North Laine should be retained</p> <p>General view was that there was a need to avoid over-specific policies on guiding type of new office space, any such policy would need to reflect changing working practices, flexible and future proofed.</p> <p>No consensus in response to whether mixed employment areas needed a specific protection policy.</p> <p>There was demand for industrial space in the city – mixed views at the BHEP event as to whether this should be accommodated in the city or be better directed to warehouses outside city. No specific sites were put forward for consideration for new industrial estate suggestions of extensions to some existing estate; any new provision would need to be fit for purpose based on assessment looking at opportunities on the periphery of the city; use council’s assets; do not release Sackville Road Industrial Estate if sites were needed. Opportunities/ zones for intensification of existing estates should be guided by 2012 Employment Land Study and restrict space lost to car parking in new development.</p> <p>Only 4 respondents thought article 4 directions to safeguard industrial areas should be brought in.</p>
Retail and Town Centre uses (17 questions)	130	<p>Make frontage policies simpler to understand and to apply whilst ensuring there is adequate protection to retail areas.</p> <p>Mixed views on amendments to retail boundaries although review is necessary.</p> <p>Support for specific policies for certain areas (Brighton Marina, North Laine)</p> <p>Clearer definition of primary shopping areas and some changes to frontages (e.g. Brunswick Town).</p> <p>General support for designations of local parades.</p> <p>Mixed responses received regarding keeping a policy that restricts changes of use to new large A3/A4 uses.</p> <p>General support for a policy for permanent markets.</p>
Tourism (4 questions)	45	<p>Concern about impacts of development on seafront (Madeira Drive); the need for further guidance to assess development</p>

		<p>proposals coming forward on seafront (design; heritage and traffic impacts)</p> <p>General view there seemed to be enough hotels, issue was with quality of provision and concern with growth of Airbnb. Some respondents thought provision could be outside the central areas (Rottingdean) and one site put forward for allocation – land adjacent Amex Community Stadium.</p> <p>Some general comments that tourism should not be just focused on central area (role of villages) and could look at the potential of heritage tourism).</p>
Transport and Travel (15 questions)	372	<p>There was a broad consensus on the need for City Plan Part Two to include more detailed policy on transport, building on CPP1 Policy CP9.</p> <p>Air quality was highlighted by a considerable number of respondents as the issue most in need of further policy, with some considering it to be the only issue. There was some support for quantitative thresholds to be included in policy to make it more effective and provide certainty over the Plan's requirements.</p> <p>The need to consider how new development can avoid further deterioration or preferably improve air quality in areas where this is currently a problem was identified.</p> <p>There was strong support for park and ride to relieve congestion in the city centre. There was significant support for looking across the wider city region for site specific transport facilities.</p> <p>Strong support for more clarity around Transport Assessments, Statements and Travel Plans. Slim majority felt this should be through CPP2 policy. General support for transport mitigation policy.</p> <p>A small majority of respondents agreed that there is already sufficient policy on active travel although some key stakeholders took different view. Two thirds of respondents felt it was not necessary to have a specific policy that focussed on equality/mobility and accessibility.</p>
Biodiversity and Open Spaces (12 questions)	348	<p>General support for policy on specifying appropriate development in NIA but no overriding view over what that would be.</p> <p>General support for Green Infrastructure approach joining with neighbouring authorities.</p> <p>Whilst recognised need for a policy on the nature conservation hierarchy and criteria, no clear approach on policy criteria or if one or more policies. BHFOE raised the need to declare all LNR's instead of having some declared and others proposed.</p>



		<p>Overall support for a general policy addressing species several sought a policy similar to QD18 and LBAPs. UF sites were raised and several put forward for protection. RSPB raised the need to protect and encourage swift nesting.</p> <p>SNCI's – support for up to date to policy. Some supported but also sought a mechanism for new sites to be included when evidence available. BHWF submitted a big long list potentially for checking against the 2013 review findings. Some responses sought better protection of sites prior to an application to prevent site clearance.</p> <p>Other sites/features that should be included in a policy – several matters put forward including ancient woodland, aged/veteran trees, geomorphological /geodiversity sites, as well as: allotments, wildlife corridors, increase tree cover; innovative provision</p> <p>New open space sites: many put forward are existing open space sites as well as sites in the National Park.</p> <p>Local Green Space – a number of suggestions made including a number by the Conservative Group and ESCC. Examples included St Aubyn's and several of the UF sites in Ovingdean area and The Oval, Saltdean. Overall support for the four sites included in the Consultation Scoping document – although one respondent did not support Benfield Valley.</p> <p>In respect of the 4 sites listed there was general support for them to be gateways to National Park and some respondents supported gateways generally on sites appropriate.</p> <p>Other issues raised: protect allotments and ecosystem services.</p>
<p>Pollution, Water and Energy (21 questions)</p>	<p>228 [134 Q 1 – Q12 94 for Q13-21]</p>	<p>Majority of respondents felt that air, land and water pollution control and noise nuisance should be treated separately not in one combined policy.</p> <p>Most respondents supported the need for detailed policy to protect quality and potential yield of water resources due to vulnerability of chalk aquifer.</p> <p>Air quality was the most cited 'other pollution issue' the city plan should address.</p> <p>Majority of respondent felt there was a need for a detailed policy to support the provision of water and wastewater infrastructure.</p> <p>Majority of respondents felt an updated SuDs policy was required but it should be appropriate to the location.</p> <p>Majority of respondents felt more detailed guidance was required to guide applications that come forward on seafront –</p>

		<p>most comments related to protection of the marine environment.</p> <p>Majority of respondents felt the presumption against encroachment on the beach should be through a policy.</p> <p>Strong support for further development of policy on low and zero carbon energy. Particular areas that were supported included: Community energy; heat pump technologies; anaerobic digestion; further development of solar policy; energy storage (thermal and electric); and zero carbon technologies, developing pathways to a transition to zero carbon; and applying findings of the Energy Study.</p> <p>Need to strengthen policy support for solar technologies especially photovoltaics.</p> <p>Support for CPP2 to identify and allocate sites for renewable and low carbon energy generation, storage or networks, taking into account Energy Study findings.</p> <p>Consensus that there needed to be further guidance on district heating though fairly evenly split between putting this in the plan or in SPG.</p> <p>The majority of respondents strongly supported development of targets for energy efficiency in smaller developments in CPP2.</p>
Design (9 questions)	102	<p>General consensus that a Place Making Policy should be included in CPP2 and support for such a policy to focus on the assessment of proposals on a street/site scale and incorporate guidance on new and emerging design issues.</p> <p>A wide range of design issues were identified by respondents to inform assessment of design quality on a street/site scale.</p> <p>Broad support for the Protection of Amenity to be addressed through a single consolidated policy and requests for enabling local communities to have more say in what their area looks like and the impact of new development upon their amenity.</p> <p>There was no consensus on whether the Protection of Amenity policy should explore parameters for assessing the effective use of sites or whether the Place Making policy should support or hinder the delivery of tall buildings.</p> <p>Clear support for a specific Extensions and Alterations Policy that replaces and is less restrictive than SPD12. Preference has been shown for such a policy to focus on setting out principles of respect for neighbours and accounting for the key visual characteristics of the area.</p>
Heritage (15 questions)	177	<p>There is a general consensus that a streamlined set of heritage policies would be appropriate but that there should be a separate policy for each type of heritage asset. Policies should be concise but contain sufficient detail to avoid the</p>

		<p>need for too many SPDs.</p> <p>The listed buildings policy should address the need to keep buildings in use and in a good state of repair</p> <p>The policy on conservation areas needs to make explicit the importance of conservation area character statements and management plans. It also needs to be clear about the greater importance of the public frontages and roofscape, with a more relaxed approach to works at the rear.</p> <p>There is a consensus view that there should be a specific policy on the setting of heritage assets.</p> <p>There is also clear support for a specific policy covering the Royal Pavilion estate.</p>
Community Facilities (7 questions)	27	<p>No consensus on type of policy to guide retention of community facility (whether single/ separate policies for different types)</p> <p>Education providers keen to see education as separate type of community facility.</p> <p>No consensus on the best approach to retention of community facilities; lots of suggestions of what should be protected/ key issues</p> <p>Benefits of allotments as community facility.</p> <p>No consensus on the issues a policy for new community facilities should address – suggestion of hubs of activities; ensure provision before completion of development it supports.</p> <p>Consider removing permitted development rights for pubs.</p>
Student Accommodation (7 questions)	36	<p>Broad support for establishing a target for the amount of PBSA; but care in establishing the target and should be monitored.</p> <p>Broad support for additional PBSA – preference for university campuses only/first but significant support for appropriate sites along Lewes Road.</p> <p>Dispersal of PBSA locations only if efficient and reasonably priced public transport.</p> <p>Need for appropriate balance between PBSA and general housing.</p>
Traveller Accommodation (4 questions)	37	<p>Smaller site preference likely to reduce possible negative amenity impacts.</p> <p>Given the likely limited number of suitable sites approach should not be too prescriptive.</p>

		Dealing with the issue through the City Plan Part Two has support as the preferred approach.
General Comment (1 question)	35	<p>A large number of responses to the 'any other issues' question were concerned with housing issues: supportive infrastructure with new housing; protection of allotments; impact on growth of HMOs on family homes; how best to address housing shortfall.</p> <p>Additional comments were made on the need for CPP2 to address food growing; access to healthy food and preventing obesogenic environments. B&amp;H food Partnership keen to develop SPD.</p> <p>General comments on design issue; request for a 'sculpture in the city policy'</p> <p>CPP2 need to be holistic, cohesive and less jargon and clarity about how it will work for ordinary people.</p>
Sustainability Appraisal (7 questions)	36	<p>Support for SA objectives by Environment Agency and ESCC.</p> <p>Suggestions put forward as to how Sustainability Appraisal Framework and decision making framework could be strengthened.</p>

There were also comments/ views that came through the 4 bespoke workshops and the numerous events and meeting undertaken as part of the consultation and these have been collated and are set out in the Consultation Statement.

## **Appendix 3 – Summary of City Plan Part Two Background Studies**

### **Urban Fringe Further Assessment 2015 – Ecology and Landscape**

The purpose of the study was to provide more detailed landscape and ecological assessment of some of urban fringe sites identified as having potential for residential development in the 2014 Urban Fringe Assessment (UFA 2014).

Sites or clusters of sites assessed were those which had been identified as having potential for significant landscape impact in the 2014 Urban Fringe Assessment, and those which either contained or were adjacent to a nature conservation designation. 34 sites were identified as requiring a more detailed landscape assessment and 28 were identified as requiring more detailed ecological assessment. The method for the landscape assessment was based on a Landscape and Visual Impact Assessment. The ecological assessment incorporated a Phase 1 Habitat Survey. Both assessments were informed by site visits.

The assessments were used to determine whether the indicative areas with housing potential identified in the 2014 UFA were broadly correct; whether the indicative housing density/yield was considered to be appropriate; and whether the mitigation identified would be sufficient and feasible, whether additional mitigation would be required, or whether mitigation would not overcome adverse impacts.

The study found that the areas identified with housing potential and the recommended housing densities identified in the 2014 UFA were broadly correct for most sites. The study made more detailed landscape and ecological recommendations for mitigation for all sites. The study recommended changing the area of development potential/ densities for 10 sites/site clusters. This included reducing the area across 6 sites/site clusters, increasing the area across 3 sites/site clusters, and recommended that no development should take place on one assessed site<sup>1</sup>.

### **Urban Fringe Further Assessment 2015 – Archaeology**

The purpose of the study was to provide more detailed archaeological assessment of some of the sites identified as having potential for residential development in the 2014 Urban Fringe Assessment.

Sites or clusters of sites assessed were those where the 2014 UFA had identified potential for archaeological sensitivities. 18 sites were identified as requiring further assessment. The method for the assessment was based on a standard archaeological desk-based assessment and included a site walkover.

The aims of the assessment were to identify the main historic constraints for each site/site cluster, outline likely impacts from development, identify relevant mitigation and determine whether the areas with potential for residential development were broadly correct.

The study found it unlikely that any of the sites would contain archaeological deposits of natural significance that would constitute an insurmountable constraint to development. The study found that all sites had archaeological potential and that the impact would vary from site to site, with mitigation being informed by comprehensive archaeological works at the time of any planning application/development. The study recommended that there should not be expansion of the areas

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<sup>1</sup> Hollingbury Park.

with development potential in 6 of the sites/site clusters assessed, due to potential impacts on settings of designated heritage assets as well as buried archaeological deposits.

### **Brighton & Hove City Council and the South Downs National Park Authority Gypsy & Traveller Site Assessments 2017**

A joint site search exercise undertaken by the City Council and the SDNPA to establish to what extent the need for new traveller pitches<sup>2</sup> could be met through site allocations. The process followed these steps:

1. Inclusion of sites/land, identified from shortlisted sites from previous site search work, locations of unauthorised encampments, and sites assessed in the Urban Fringe Assessment that were considered to have potential for housing development;
2. A high level sieving exercise was then undertaken to remove sites with no potential by considering the sites against a number of absolute constraints;
3. A more detailed examination of the 27 sites that remained, including a detailed independent landscape assessment of greenfield sites that had not already been excluded for other reasons.

The outcome of this process was a shortlist of one site within Brighton & Hove '*Land to north-east of Coldean Lane*' that was considered to have potential for development as a traveller site through allocation in the Brighton & Hove City Plan Part 2, subject to more detailed on-site examination and assessment. No sites were identified within the South Downs National Park.

### **Brighton & Hove Detailed Traveller Site Assessment 2017**

An independent Study was commissioned by the City Council to scrutinise the site selection process undertaken up to that point and to further assess the shortlisted site ('*Land to north-east of Coldean Lane*') in more detail.

The site was visited by the consultant team and site information was recorded using a proforma previously agreed with the Council.

During the assessment process, it was confirmed that the site was no longer available as it is being progressed as a Joint Venture with a Registered Provider for 100% affordable housing and therefore unavailable for alternative uses.

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<sup>2</sup> As identified in the 2014 Gypsy and Traveller Accommodation Assessment, BHCC and SDNPA.

## **Housing and Employment Land Study 2017**

The purpose of the study was to provide a comprehensive review of housing and employment site assessments which support the site assessment process for the draft City Plan Part Two. The study reviewed the approach and work undertaken to date on the council's housing land availability assessment (SHLAA) and updated the 2013 Employment Land Trajectory.

The study confirmed that robust and credible assessments of land availability have been undertaken to inform the housing and employment trajectories for the City Plan Part Two and the study also provided the council with recommendations which will be taken into consideration in preparing future updates of the SHLAA.

As part of the work undertaken the study reviewed a sample of potential housing sites to test assumptions around achievability and delivery potential and this has informed the 2017 SHLAA update and housing site allocations. The study also assessed the potential development sites put forward through the CPP2 Scoping Consultation 'Call for Sites' and a schedule of secondary employment sites and made recommendations on future development opportunities and whether the secondary employment sites should be safeguarded. These assessments have informed the 2017 SHLAA update as well as housing site and mixed use allocations in the draft City Plan Part Two.

### **SHLAA 2017 Update**

The Strategic Housing Land Availability Assessment (SHLAA) is updated annually to take account of the latest annual residential monitoring exercise and any further technical work and information regarding development site capacity and viability.

The SHLAA site and summary schedules illustrate actual and anticipated residential development over the City Plan timescales 2010 – 2030. The schedules also illustrate what is expected to be delivered spatially across the city in terms of the eight Development Areas (DA1 – DA8) indicated in the adopted City Plan Part one and across the rest of the city.

The 2017 SHLAA Update indicates there is an overall citywide potential for around 15,046 units of housing to 2032; with a further 1,082 identified beyond this 15 year period. The 2017 SHLAA update estimates delivery to be approximately 13,600 by 2030 which would achieve the City Plan Part One target of 13,200 by the end of the plan period. The 2017 SHLAA update has been used to update the city's five year housing land supply position and demonstrates that a five year supply for the city for the period can be demonstrated for the period 2017-2022 using the Phased Requirement Method endorsed by the City Plan Part One Inspector.

## **Lyon Close, Hove Report of Design Workshop (2017)**

An officer workshop was held 22 November 2017 facilitated by Design South East who then prepared the report. The purpose of the workshop was to establish design principles for the development of the wider site bounded by Davigdor Road, Holland Road, Montefiore Road and the railway line in Hove. The site includes a number of office, trade retail, professional and residential buildings under construction or approved with adjacent healthcare uses.

The report suggests that a vision for the wider site should build on the areas role as a local centre with a diverse mix of housing, community, local retail and leisure, health and employment uses at a medium to high density. It proposed improved permeability through the block and links towards the nearby St Anne's Well Gardens. The image of the whole area should be improved with traffic calming and additional planting on Davigdor Road itself, with improvement in the public realm, additional street trees and good north south road crossings. The report also sets out a number of design principles (such as improving vehicle access and connections, promoting active building frontages and providing amenity space for new residents and workers) informed by the workshop discussion, site visit and analysis which could benefit from further discussion with landowners and testing.

The workshop informed the site allocation policy for Lyon Close, Hove in the draft City Plan Part Two and the report sets out site masterplan and design principles which can help inform discussions with landowners and developers.

## **Brighton & Hove Wildlife Study Review 2017**

The study provided a review of the earlier Brighton and Hove Wildlife Site 2013 review process to endorse its findings and to ensure that the recommended suite of local wildlife sites (LWS) is robust and fit for inclusion in the City Plan Part Two. The Review was carried out in accordance with DEFRA guidance and undertaken by the East Sussex Local Nature Partnership Technical Panel in 2017. The 2017 panel reviewed the 2013 survey sheets and maps, and from the information available, assessed whether the sites met the Brighton & Hove LWS selection criteria and the Sussex criteria.

Where there was a change in recommendation between the reviews, this was predominantly based on a change in site conditions resulting from development, or on additional information becoming available in the interim period. Where recommendations made in 2013 for the designation of new sites could not be endorsed due to the lack of survey data, these sites have been retained as candidate LWS. 14 potential sites were declined as LWS by the 2013 Panel. This view was endorsed by the 2017 review as they did not meet the selection criteria (it should be noted that 5 of these sites are already protected as Local Nature Reserves).

Twenty six existing sites of Nature Conservation Importance were assessed as being worthy of retention and should be renamed as Local Wildlife Sites (LWS) and included in the City Plan part Two policies map. Twenty-four new sites have also been endorsed for designation and inclusion in the CPP2. Seven sites have been identified as having potential to be designated as LWS, pending an assessment of up-to-date survey information; these sites will be listed as candidate LWS within the City Plan Part Two.

As part of the consultation on the City Plan Part Two the owners and occupiers of the above sites should be notified of designations and provided with copies of site citations.



## **Brighton & Hove CPP2 Energy Study 2018**

The purpose of the study was to provide technical support to consider the scope/ opportunities for further energy and sustainability policies in the City Plan Part Two. The study builds on work presented within the 2013 Energy Study. The study reviewed the current regulatory context and noted recent government strategies such as the Clean Growth Strategy which highlight the need to decarbonise heating supply in conjunction with decreasing heating energy demand through improved energy efficiency. The study involved an analysis of the current fuel consumption and CO<sub>2</sub> emissions and potential projected changes in gas and electricity consumption; assessed the current energy efficiency of the building stock and the current levels of installed or planned low and zero carbon (LZC) energy generation capacity within Brighton & Hove.

The report identified a variety of potential opportunities for the council to consider in order to strengthen and support the adopted City Plan Part One Policy CP8 Sustainable Buildings either through new policy in the CPP2 or through technical guidance.

The study recommended extending the minimum carbon dioxide reduction target to apply to all development not just new residential dwellings. The study considered this would help mitigate carbon emissions associated with all new development within the city and meet local and national policy objectives with respect to the reduction of carbon dioxide emissions.

The study analysis showed that there are opportunities across the city for delivering decentralised, low and zero carbon energy technologies within new development. Although there are some locations where the use of specific technologies may require further consideration and have implications for the design of buildings, solar technologies and air source heat pumps for example are expected to be suitable in most of the Development Areas (identified in the CPP1).

The study analysis showed there are opportunities to further increase the generation of energy from decentralised, low and zero carbon technologies in specific areas of the city where either greater opportunity exists or where there is a need for the mitigation of environmental impacts. These opportunity areas suggested include the Development Areas (identified in CPP1); housing site allocations in the urban fringe and existing safeguarded industrial estates. The study recommended requiring all new development to submit an Energy Statement to better ensure that all new development complies with the requirements of City Plan policies.

The study also indicated that district heat networks will play a role in the transition to lower carbon heating and recommended that CPP2 provide further detail to support the delivery of necessary infrastructure to enable future connection to district heat networks.

The study also recommended that CPP2 should recognise the opportunities for community-led energy projects and encourage developers to work with community groups to deliver energy projects as part of new developments.

Given the importance of addressing energy consumption from domestic and non-domestic buildings, the study considered opportunities to improve the performance of existing and new developments should be taken. Based on analysis of current EPC rating and potential ratings the consultants recommend introducing minimum standards on EPC ratings for existing and new buildings that come through the planning system above the Minimum Energy Efficiency Standard (MEES) regulations which came into effect on 1<sup>st</sup> April 2018.

## **Brighton & Hove Visitor Accommodation Update Study 2018**

The Brighton & Hove Visitor Accommodation Study Update 2018 provides an updated assessment of future demand for visitor accommodation (hotels, guest houses, aparthotels, short-term holiday lets and home sharing) in Brighton & Hove. The study included meetings and telephone interviews with hotel managers in the city and telephone survey of guest house and B&B owners.

The study found that Brighton & Hove's visitor accommodation supply has grown and changed significantly since 2006 with a 11% increase in hotel provision; an increase of hostel provision and the closure of 25 guest houses/ hotels to non-visitor accommodation uses. There has been substantial increase in the supply of short-term holiday lets with as many as 1,500 – 2,000 properties being actively marketed for such use. The city is under-represented in terms of international hotel brands and new contemporary hotel products and brands but has a much larger independent hotel and guest hotel sector than compared with other major cities in the South East and competitor UK conference cities.

Analysis of performance data found that the city has one of the strongest hotel markets in the UK and significantly improved hotel performance since 2006. The city hotels are full and turning away business for much of the time at weekends during peak holiday season and during peak conference months. Guest houses are trading in a more competitive and challenging environment however there remains strong demand for this type of accommodation. Throughout April to October the majority of guest houses that took part in the survey reported an average annual occupancy of over 60%. There is a strong market for short-term holiday lets in the city. Many are operating as businesses, available year round, charging high prices particularly at weekends and achieving high occupancy rates.

All indicators point to continuing growth in demand for all forms of visitor accommodation in the city particularly from the leisure tourist markets and could grow by 2-45 per annum over the next 5 years. Hotel demand projections prepared for the study indicate a potential requirement for up to 5 further hotels to 2030 above those already in the development pipeline. Given the lack of available sites in the city centre the study recommends identifying opportunity areas for hotels to be included in the City Plan Part 2.

The study assessed whether regulation of the short term holiday let properties is required in order to control impact on housing supply; to ensure compliance with fire regulations and other health and safety regulations; to avoid noise and disturbance and in order to control the impact on other types of visitor accommodation. However 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 systems .

The findings and recommendations have informed the preparation of City Plan Part Two in terms of guidance on hotel site allocation and visitor accommodation development management policies. The updated study will also be used to guide the assessment of planning applications for new hotels and assist the City Council in considering the need and options for regulating short-term holiday lets and home sharing.

<b>Subject:</b>	<b>Use of Plastics on and within buildings in Brighton &amp; Hove</b>		
<b>Date of Meeting:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Executive Director of Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Sandra Rogers</b>	<b>Tel: 01273 292502</b>
	<b>Email:</b>	<b>Sandra.rogers@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

## **FOR GENERAL RELEASE**

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report responds to the request within the Notice of Motion on the 'Use of Plastics on and within buildings in Brighton & Hove' presented at the Tourism Development & Culture Committee 11 January 2018.
- 1.2 This report responds from the point of view of the Planning and Building Control Service, which are the main regulatory powers the council has over buildings in the city.

### **2. RECOMMENDATIONS:**

That the Committee approves:

- 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.
- 2.2 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.
- 2.3 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.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Concern over the impact of plastics on ecology, health and the environment has been increasing steadily in recent years. Public consciousness has been alerted to the scale of ocean plastic pollution after the TV series Blue Planet II and many plastic waste campaigns. The Government's *25 Year Environment Plan: A Green Future 2018* commits to eliminate all avoidable plastic waste by 2042

- 3.2 Two Notices of Motion (NoM) were presented to Full Council in November 2017. These referred to ‘Banning use of single use plastics’; and ‘Unnecessary single-use plastics’. These were both carried unanimously.
- 3.3 In response to these NoM’s, action has been requested from officers to explore implementation of a ban on single use plastics (SUPs) in council buildings, services, agencies, and supply chains, and for the council to become signatory to the ‘Plastic free Pledge’. An update report on ‘Phasing out use of single use plastics’ was taken to Policy, Resources & Growth Committee on 29 March followed by a full report expected in July 2018.
- 3.4 At Tourism, Development & Culture Committee on 11 January 2018, Item 43(d), a Notice of Motion on the ‘Use of Plastics on and within buildings in Brighton & Hove’ was presented. The Notice stated: “This committee requests that an officer report is produced to detail the extent of the use of plastics on and within all buildings in Brighton & Hove, including new-builds and additions, and what steps could be taken to address the situation with a view to making Brighton & Hove a leader nationally in the use of quality renewable alternatives”.
- 3.5 The Committee resolved to have an Officer report regarding the use of plastics on and within buildings in Brighton & Hove. As noted above, this report responds from the Planning & Building Control perspective.

#### 4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The current use of plastics in the construction industry is widespread. In relation to all new build and existing buildings, alterations and extensions, plastic is used for non-structural purposes, e.g. pipes, drainage, un-plasticised polyvinyl chloride (uPVC) windows, and weather-boarding. Better quality plastics are used because they are low maintenance, durable, cost effective, versatile and not susceptible to degradation.
- 4.2 As an example, uPVC is the leading material used in the construction industry for replacement windows at a lower cost than timber. Although it is not a renewable material homeowners will more often replace windows in double glazed uPVC due to affordability and also then benefit from reduced energy bills. As an example of cost differential, an industry website<sup>1</sup> gives average prices for sash windows in different materials as follows:

<b>Sash double glazed window</b>	<b>Average cost per window including materials, installation and VAT</b>
uPVC windows	£700 - £1,100
Timber windows	£1,100 - £1,900
Aluminium coated windows	£1,200 - £1,500

#### **Planning and Building Control**

- 4.3 City Plan Part One policy CP8 ‘Sustainable Buildings’ includes policy on sustainable materials is as follows:

<sup>1</sup> [www.getawindow.co.uk/window-prices/](http://www.getawindow.co.uk/window-prices/)

- 2. All development proposals including conversions, extensions and changes of use will be expected to demonstrate how the development:*
- (i). uses materials that are sustainable and have low embodied carbon (These include materials that are produced locally where possible, procuring materials sustainably and ethically, and seeking to avoid materials which are polluting or with high embodied carbon and energy inputs);*
  - (k). minimises waste and facilitates recycling, composting and re-use;*
  - (l). reduces air, land and water pollution*

Whilst the policy states proposals are expected to demonstrate the use of sustainable materials the policy does not *require* all materials to be sustainable.

- 4.4 The online Sustainability Checklist for planning applications also asks for information about sustainable materials' use, indicating that use of certified sustainable timber, local, renewable, and low embodied carbon materials is welcomed.
- 4.5 Until fairly recently, planning authorities had a means of requiring minimum standards for sustainable materials through the use of the 'Code for Sustainable Homes' (the Code), a national certification scheme which included scoring on e.g. materials, pollution and waste. All new dwellings in Brighton & Hove were required to meet Code standards under locally adopted policy from 2008-2015. Using the Code as an assessment method, the council could have adopted policies to achieve minimum scoring in the materials section of the Code, though this could not have been applied specifically to the use of plastics, as it would apply to the materials of all major components.
- 4.6 In 2015, the Code was withdrawn by government, following the Housing Standards Review. A Written Ministers Statement (March 2015) committed to streamline the planning process. It announced that technical standards would be transferred to Building Regulations following withdrawal of the Code. However, standards transferred to Building Regulations included water, access, energy efficiency and space standards, but not materials.
- 4.7 Building Regulations currently require only that a material is fit for purpose and performs the function intended. There is no requirement for the use of renewable materials. This would require a change to the Building Regulations.

#### **Heritage policy**

- 4.8 The council's planning policies relating to heritage restrict the use of uPVC windows and doors on listed buildings and on historic buildings in conservation areas. This is because uPVC windows and doors do not satisfactorily match the detailing and subtle differences of traditional timber examples, rather than because of an inherent objection to the material itself.
- 4.9 Exceptions are allowed where the use of uPVC examples would not harm the heritage asset, for example at the rear of buildings in conservation areas. Heritage policy also requires the use of cast metal for rainwater goods on listed buildings, but plastic is usually accepted in conservation areas because plastic downpipes and gutters are already so widespread. uPVC windows are not

banned by heritage policy as such, just considered unlikely to be able to match the detailing requirements of historic windows.

#### **4.10 Waste policy**

The East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan, adopted 2013 includes Policy WMP3a which promotes strategies for waste prevention, re-use and wider waste awareness. Furthermore, Policy WMP3d provides specific requirements that are intended to minimise waste generated during construction activities.

- 4.11 Although the national Site Waste Management Plan Regulations have been rescinded, this adopted local policy requirement enables the Council to continue to require Site Waste Management Plans to support planning applications. These support on-site segregation of waste materials which facilitates recycling of different waste streams such as plastic.

### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 No community engagement has been carried out as this report is based on the council's planning and building control powers.

### **6. CONCLUSION**

- 6.1 It is the view of planning and building control officers that currently there are no realistic alternatives to the extensive use of plastic in the construction industry. It would however be beneficial to promote the use of construction materials made from re-cycled plastics and also look to increasing re-cycling rates for plastics more generally.
- 6.2 Plastic is currently all pervasive in our culture. However, the removal of plastics from the waste stream through recycling benefits the environment and makes use of an otherwise redundant material. Recycling plastics into building materials, where they are locked in to long term use may offer a better solution than disposal/incineration, and creates a more circular economy.
- 6.3 Separate to this report, officers reporting to PR&G Committee are focussing on looking at phasing out use of SUPs. Plastics used in the construction industry are not 'single use' in the same sense. Whilst there are significant opportunities to cease use of SUPs through council services and spend, the task of addressing other plastics' use in construction is harder due to limited council powers.
- 6.4 As a consequence officers advise that the council focus on the excellent work emerging around policy and practice to phase out SUPs (see 6.3 above), and continue to seek to promote the use of renewable materials, and the re-use and recycling of building materials to promote energy efficiency, water efficiency and reduce waste minimisation.

### **7. FINANCIAL & OTHER IMPLICATIONS:**

#### Financial Implications:

There are no direct financial implications as a result of this report, however, the financial impact of using alternative materials in construction contracts and

capital schemes will need to be considered within individual business case. The financial impact of using alternative materials for revenue services, agencies, and supply chains will also need to be considered within the scope of their respective revenue budgets.

*Finance Officer Consulted: Rob Allen*

*Date: 15/02/18*

Legal Implications:

- 7.1 As noted in the body of the report, the council has no statutory power, under current planning or building control legislation, to require a restriction on the use of plastics. Planning policy allows the council to encourage the use of fewer plastics but more stringent policy is unlikely to be sound at local plan examination.
- 7.2 It is not considered that the report's recommendations raise any adverse human rights implications.

*Lawyer Consulted: Hilary Woodward*

*Date: 14/2/18*

Equalities Implications:

- 7.3 An Equality Impact Assessment has not been carried out. No equalities implications have been identified.

Sustainability Implications:

- 7.4 Plastic production requires use fossil fuels. When redundant, plastics are difficult to dispose of in a way that does not harm the natural world. An estimated 8.3 billion tonnes of plastic have been produced since the 1950s. This is likely to be 34 billion tonnes by 2050, the majority of which will end up in landfill or polluting the world's continents and oceans. Mitigating this problem requires reducing production and use of virgin plastics, and increasing the recycling of existing plastic.

Corporate / Citywide Implications:

- 7.5 The principle of *Public Accountability* is central to this report in terms of council use of planning powers. The issue of plastics use is relevant to the priorities of *Environmental sustainability and Health & wellbeing*.

Any Other Significant Implications:

- 7.6 Part of the attraction of plastic materials is their low financial cost, which does not correspond to their potential environmental costs. Use of alternatives may therefore involve higher costs initially in the transition to more sustainable alternatives.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

None

### **Documents in Members' Rooms:**

None

### **Background Documents:**

1. [A Green Future: Our 25 Year Plan to Improve the Environment](#), the UK Government's Environment Plan (2018)
2. [Written Ministers Statement](#) (March 2015) on Housing Standards
3. City Plan Part One, Policies CP8 Sustainable Buildings and CP15 Heritage



<b>Subject:</b>	<b>Houses in Multiple Occupation</b>		
<b>Date of Meeting:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Executive Director Economy, Environment and Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Steve Tremlett</b>	<b>Tel: 01273 29(2108)</b>
	<b>Email:</b>	<b>Steve.tremlett@brighton-hove.go.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report summarises the current planning policy approach to Houses in Multiple Occupation (HMOs) in the city and makes recommendations for future work relating to extending Article 4 Directions in the city.
- 1.2 The report is, in part, a response to a petition submitted to the Committee in January 2018 entitled "*Petition to restrict number of HMOs on Bennett Road, Bristol St and Princess Terrace and preserve our lovely community spirit which is alive and well*". A response to the petition was given to the Committee at that time. Committee members requested an officer's report to further consider the issue of HMOs in the city.

**2. RECOMMENDATIONS:**

- 2.1 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.
- 2.2 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 dwellinghouses to small HMOs.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 A House in Multiple Occupation (HMO) is defined as a property rented to at least three people who are not from one 'household' (e.g. a family) but share facilities such as a bathroom and kitchen. Planning use classes distinguish between 'small' HMOs of up to six people (C4 use class), and 'large' HMOs of seven or more occupants which are *sui generis*.
- 3.2 HMOs provide an affordable type of accommodation for some lower income residents in the city. In Brighton and Hove, privately rented accommodation and HMOs represent a far higher proportion of the housing market than the national average. A significant proportion of existing HMOs in the city are occupied by

students. However, as more purpose built student accommodation is delivered and student numbers at both universities stabilise, it is likely that further demand for changes of use to HMO will be driven by the wider housing pressures in the city rather than students.

- 3.3 Changes of use from family homes (use class C3) to small HMOs (C4) fall under 'permitted development' and therefore do not normally require planning permission. However, in five wards of the city<sup>1</sup>, the council has introduced an 'Article 4 Direction' (as of 5 April 2013) which removes permitted development rights. This means that within these five wards planning permission is required to change the use of a single dwelling house (defined as C3) to a property lived in by between three and six people where facilities such as a kitchen or bathroom are shared (C4 use class).
- 3.4 As set out in Policy CP21 of the adopted City Plan Part One, planning applications for new build HMOs, or a change of use to HMO including a change from a C4 HMO to a *sui generis* HMO, are not permitted where more than 10% of dwellings within a radius of 50 metres of the application site are already in HMO use.
- 3.5 This policy effectively restricts the number of new or enlarged HMOs that can be accommodated within the Article 4 area. The Article 4 Direction and Policy CP21 are not intended to provide a cap on the total number of HMOs; rather the intention is to prevent further over-concentrations in areas that already have a proliferation by encouraging a more even spread.
- 3.6 A policy proposed in the Draft City Plan Part Two includes additional criteria that would be used in the determination of planning applications for change of use to HMO and for applications from C4 to *sui generis* HMOs<sup>2</sup>. These criteria are intended to guard against negative impacts of HMO concentrations at a very localised level and a wider neighbourhood level, in addition to the existing 50m radius test in City Plan Part One Policy CP21. Should this policy be retained once City Plan Part Two is adopted, it is likely that opportunities for additional HMO development within the existing Article 4 area would be further restricted.
- 3.7 It is possible that restricting HMO development within the existing Article 4 area is resulting in increased numbers of HMOs in other parts of the city. This could result in some of the negative effects that can be associated with HMOs, becoming apparent in other areas of the city. Anecdotal evidence has been received from some communities to that effect.
- 3.8 In September 2017, the Committee resolved that the process to seek an extension of the Article 4 Direction Area should not be commenced at that time, but that the situation be closely monitored. In order to consider an extension to the existing Direction, considerable evidence gathering would need to be undertaken in order to demonstrate that ongoing use of the existing permitted development rights would result in demonstrable harm to the area proposed for the extension.

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<sup>1</sup> Hanover and Elm Grove, Hollingdean and Stanmer, Moulsecomb and Bevendean, Queen's Park and St Peters and North Laine.

<sup>2</sup> Policy DM7 in Draft City Plan Part Two.

- 3.9 Following concerns raised by members and local communities, it is now proposed to examine the issue in more detail. If the recommendations are accepted, an evidence gathering process will be undertaken to consider whether there is sufficient justification for commencing the process to extend the Article 4 Direction, and if so, over what geographical extent. A further report will then be brought back to this Committee at the end of the year to report on the evidence with appropriate recommendations.
- 3.10 Policy on the use of Article 4 directions is contained in the National Planning Policy Framework. This states that the use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The national Planning Practice Guidance further provides that the potential harm that the direction is intended to address needs to be clearly identified and that an Article 4 Direction must be justified for both its purpose and extent
- 3.11 In order to consider an extension to the existing Direction, considerable evidence gathering would need to be undertaken in order to demonstrate that ongoing use of the existing permitted development rights would cause potential harm to the area proposed for the extension. If clear reasons for implementing the Direction are not set out, the Secretary of State has the power to intervene by modifying or cancelling it at any time before or after it is made.
- 3.12 The Planning Authority would also need to take into account the important role of HMOs in providing a form of affordable accommodation for those on lower incomes and the ability to adequately resource the management of an expanded area.
- 3.13 Should a decision be subsequently taken to extend the Article 4, a 'non-immediate direction' would be sought, which comes into force twelve months after it has been made. A non-immediate direction allows consultation views to be taken into account before the direction is confirmed. This would also reduce or eliminate the likelihood of compensation being payable. The use of an immediate direction could result in considerable compensation implications.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The alternative option is not to undertake the evidence gathering process. This would delay consideration of the need to extend the Article 4 Direction and could result in a decision to extend the Direction being taken at a point in the future where any negative impacts of HMOs have been further exacerbated.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The proposed course of action is partly in response to a petition submitted to the Committee in January 2018 entitled "*Petition to restrict number of HMOs on Bennett Road, Bristol St and Princess Terrace and preserve our lovely community spirit which is alive and well*". A response to the petition was given to the Committee at that time. Committee members requested an officer's report to further consider the issue of HMOs in the city.

- 5.2 A letter has been received from Councillors Morgan, Platts and Mitchell in support of East Brighton Ward being evaluated for coverage by an Article 4 Direction in order to better manage the spread of Houses in Multiple Occupation (HMOs) in the area. The letter notes the concern of local residents regarding increasing numbers of HMOs in that area.
- 5.3 Should a decision subsequently be made to make an Article 4 Direction, a statutory public consultation will be required to take place for a minimum period of 21 days before the Direction can be confirmed.

## **6. CONCLUSION**

- 6.1 The report responds to the request from committee members at TDC in January 2018 for a report setting out current issues relating to HMOs in the city.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 There are no direct financial implications resulting from this report. In the event that Article 4 Direction is extended in the future any financial impact directly resulting from additional planning permissions being sought will be reflected in the planning revenue budget. Any economic implications as a result of this will be presented in the future report that will be brought back to this committee.

*Finance Officer Consulted: Rob Allen*

*Date: 21/05/18*

### Legal Implications:

- 7.2 The Town and Country Planning (General Permitted Development) (England) Order 2015 grants planning permission for certain types of development, including, in Schedule 2 Part 3 (Class L), changes of use from a C3 dwellinghouse to a C4 small HMO and vice versa. A planning application would not therefore be required for such development unless the permitted development right had been removed.
- 7.3 As noted in the report, permitted development rights may be removed by way of an Article 4 Direction. This is a reference to Article 4 of the 2015 Order whereby a local planning authority ("LPA") may make a direction if it is satisfied that it is expedient that development that would otherwise be permitted development should not be carried out unless permission is granted on an application. Once made, the direction must be advertised by the LPA and representations invited. Any representations made within the relevant time period must be taken into account by the LPA in considering whether to confirm the direction. A copy of the direction must be sent to the Secretary of State who may cancel or modify it at any time before or after its confirmation.
- 7.4 Where a LPA makes an Article 4 direction the authority may be liable to pay compensation if it then refuses planning permission for development which would otherwise have been permitted development or grants planning permission subject to more limiting conditions than prescribed by the 2015 Order. However, s108 of the Town and Country Planning Act 1990 and the Town and Country

Planning (Compensation) (England) Regulations 2015 provide that where permitted development rights for certain types of development, including C3 to C4 and C4 to C3 changes of use, are withdrawn, no compensation is payable provided at least 12 months' notice of withdrawal is given.

*Lawyer Consulted: Hilary Woodward*

*Date: 21/5/18*

Equalities Implications:

- 7.4 None as a direct result of this report. If an extension to the Article 4 Direction was subsequently successfully implemented, the council would have enhanced controls to help deliver balanced communities. These measures may impact upon the availability of affordable housing for younger people.

Sustainability Implications:

- 7.5 The planning policy framework relating to HMOs is intended to ensure that the mix of residential uses within neighbourhoods remains balanced and sustainable.

Any Other Significant Implications:

- 7.6 None identified as a direct result of this report.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

### **Documents in Members' Rooms**

1. None

### **Background Documents**

1. City Plan Part One.
2. Draft City Plan Part Two.



<b>Subject:</b>	<b>Urban Design Framework Supplementary Planning Document -</b>		
<b>Date of Meeting:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Executive Director Economy, Environment, and Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Paula Goncalves</b>	<b>Tel: 01273 292352</b>
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<b>Ward(s) affected:</b>	<b>All Wards</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report provides an update on the Urban Design Framework Supplementary Planning Document (UDF SPD) which will provide guidance to help deliver high quality design and place-making as part of future development in the city. The report seeks approval to consult on an Issues and Options paper (Appendix 1) for six weeks. The outcome of this will inform the preparation and content of the full Draft SPD.

**2. RECOMMENDATIONS:**

That the Tourism, Development & Culture Committee:

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

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Urban Design Framework (UDF) is specifically referred to in Policy CP12 Urban Design in the adopted City Plan Part One. It is also signposted in the Plan's spatial strategy and a number of the city-wide and development area policies. It will also be referred to in the emerging City Plan Part Two and in particular the proposed policy that sets out criteria for assessing design quality of places and buildings.
- 3.2 The UDF is intended to supplement and support the implementation of City Plan Part One Policy CP12 and other relevant City Plan policies by setting out design priorities and providing advice and best practice that will help to raise the quality of new buildings and spaces in the city.
- 3.3 As such, the UDF will be prepared in the form of a Supplementary Planning Document (SPD). An SPD provides guidance for planning applicants, developers

and landowners on how to implement policies in the City Plan Parts One and Two. An SPD cannot make new or change existing policy but it can help the council deliver the amounts and types of development that are being proposed in the City Plan through detailed guidance and by illustrating examples of good practice.

- 3.4 The UDF SPD will be a city-wide document that will seek to identify and set out:
  - Areas which should be largely be conserved and/or enhanced;
  - Priorities for planning design guidance;
  - Key strategic views; and
  - Area- and site-specific design principles.
- 3.5 It will also aim to:
  - Provide clarity about areas that can accommodate taller development;
  - Show how public realm improvements can create pedestrian-cyclist friendly spaces that accommodate the needs of all people and achieve consistent aims and standards;
  - Be informed by relevant studies, in particular the Urban Characterisation Study and Historic Character Assessment reports; and
  - Contribute towards the implementation of Public Spaces Public Lives, Streetscape Design Guidelines and other relevant strategies.
- 3.6 The UDF SPD will conform to the National Planning Policy Framework (NPPF) by promoting design policies that can help establish a strong sense of place and respond to local character whilst avoiding being too prescriptive.
- 3.7 The preparation of the UDF SPD will look at opportunities to support constructive design discussions between applicants, designers, planning officers, councillors and communities and by outlining potentially appropriate solutions and illustrating best practice in the city and elsewhere.
- 3.8 Issues and Options is the first stage in the production of a SPD. Although this stage is not a statutory requirement, it is considered good practice. Some of the potential benefits of early engagement with stakeholders emerging from previous council experience when producing SPDs include:
  - Raising awareness about the opportunities and challenges of meeting policy requirements;
  - Building consensus among multiple stakeholders around priorities and potential benefits of development;
  - Identifying opportunities for co-provision and partnerships that can facilitate timely delivery of infrastructure; and
  - Helping to address landowner/developer concerns.
- 3.9 The UDF SPD was subject to a screening exercise to assess the need for a Strategic Environmental Assessment (SEA). The screening exercise concluded that a SEA was not required as the impact of the SPD should be largely beneficial and unlikely to result in any significant adverse effects. In addition, the UDF SPD is not setting new policy. The UDF SPD will be supplementing existing policy which has already undergone the Sustainability Appraisal/SEA process. As required by the relevant Regulations, the screening conclusions were sent to Natural England, Historic England and the Environment Agency. The two responses received both concurred with this conclusion.



## **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 As part as this first stage of consultation, alternative options to inform the production of the UDF SPD will be put forward for discussion. Options range from a City Plan policies only approach; a broad brush SPD that identifies key issues and summarises information available; and a more detailed SPD that looks at issues as part of a masterplanning approach.
- 4.2 It is not a requirement to have the Issues & Options stage of consultation. The alternative is a full draft SPD. This was discounted as it was considered important to engage early with stakeholders and residents due to the scope and importance of the guidance for the city.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The council's Statement of Community Involvement (SCI) sets out policy and standards for engaging residents, local groups, stakeholders and statutory consultees in the preparation of planning-related documents.
- 5.2 During the Issues and Options stage, focused consultation will be undertaken with stakeholders to gauge views on the type and content of guidance to be provided. The options outlined in the Scoping Paper are not mutually exclusive meaning a combination of options or additional options could be considered as the most suitable. The paper has been prepared in consultation with key officers in the city council.
- 5.3 Stakeholder organisations and individuals, including residents, developers, landowners, local ward councillors, planning agents, amenity groups, local schools, and churches will be invited to comment on issues and options. During a en-week consultation to be held between 5 July and 13 September 2018 consultees will be invited to comment on the paper and attend dedicated workshops.
- 5.4 The results of the Issues and Options consultation will inform the preparation of a UDF SPD that will be produced within the requirements of the National Planning Policy Framework, which states (paragraph 153.) that 'Supplementary planning documents (SPDs) should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development'.
- 5.5 The draft UDF SPD will then be brought back to this Committee to seek its approval to carry out a further, city-wide consultation exercise in Autumn this year. The outcome of the city-wide consultation will inform the final version of the SPD that is expected to be brought back to this Committee to seek its adoption in early 2019.

## **6. CONCLUSION**

- 6.1 The main purpose of this Issues and Options stage is a first step towards preparing an Urban Design Framework SPD. The adopted SPD will ensure there is detailed, clear advice to help deliver high quality of development design and place-making in the city.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The cost of officer time, production of documents and consultation associated to the recommendations in this report will be funded from existing revenue budget within the Planning service. Any significant financial implications arising from the outcome of the consultation and production of the Supplementary Planning Document will be reported in future committee reports.

*Finance Officer Consulted: Gemma Jackson*

*Date: 18/04/2018*

### Legal Implications:

- 7.2 As noted in the body of the report, there is no statutory requirement to consult on “issues and options” for a SPD but this is considered best practice.
- 7.3 The contents of a SPD are governed by the Town and Country Planning (Local Planning) (England) Regulations 2012. To be lawful, a SPD must be limited to statements regarding “any environmental, social, design and economic objectives which are relevant to the attainment of development and use of land” which “the local planning authority wish to encourage during any specified period” [Regulation 5. (1) (a)]. Once adopted a SPD will be a material planning consideration in the determination of relevant planning applications.

*Lawyer Consulted: Hilary Woodward*

*Date: 19/04/18*

### Equalities Implications:

- 7.4 As referenced under paragraph 3.12 an SEA has not been undertaken on the UDF SPD. The UDF is strongly linked to Policies CP12 and CP13 of the City Plan Part One. These policies underwent a Health and Equalities Impact Assessment. This found the impacts of these policies to be largely positive against a wide range of equalities objectives. The SPD should help to achieve these objectives.

### Sustainability Implications:

- 7.5 As referenced under paragraph 3.12 an SEA has not been undertaken on the UDF SPD. The UDF is strongly linked to Policies CP12 and CP13 of the City Plan Part One. These policies underwent full Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) during the preparation of City Plan Part One. The SA/SEA at that time found the impacts of these policies to be largely positive against a wide range of sustainability objectives, including maintaining local distinctiveness and protecting key sites, protecting the SDNP, helping to make the best use of previously developed land, improving accessibility, increasing biodiversity, and promoting sustainable travel. The SPD should help to achieve these sustainability objectives.

#### Crime & Disorder Implications:

- 7.6 The preparation of the SPD will allow for more detailed consideration and guidance regarding layout and design features which could help deter crime or disorder and the fear of crime. SPD will consider issues of Secured by Design.

#### Risk and Opportunity Management Implications:

- 7.7 The SPD will provide guidance on implementing City Plan Part One Policy CP12 Urban Design and other relevant planning policies in this Plan and potentially on emerging City Plan Part Two Policies. Responses received as part of the consultation at the issues and options stage will help inform the SPD. The SPD is intended to improve the quality of design in new development and facilitate the successful delivery of good quality, higher density development.

#### Public Health Implications:

- 7.8 Development across the city is expected to support sustainable lifestyles in development sites and their surrounding areas. The production of the SPD can help support the timely provision of necessary infrastructure to support sustainable and mixed use communities across the city. The ways in which design can help minimise the noise and other traffic impacts have been considered in the Issues and Options paper and will be duly discussed as part of the consultation.

#### Corporate / Citywide Implications:

- 7.9 The council is committed to promoting higher-density, mixed-use development. High quality design is the key to delivering acceptable development in a way that responds to the city's high housing demand, significant spatial constraints and sensitive landscapes. As such, the SPD presents a major opportunity to:
- Establish a constructive dialogue with local communities, and those with a stake in the planning system, regarding the potential benefits of new, higher density development; and
  - Greater clarity and confidence for elected members, the council's Development Management team and the development sector, unlocking investment in and speeding up the delivery of housing in the city.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Issues & Options paper

#### **Documents in Members' Rooms**

None

#### **Background Documents**

City Plan Part One



# U r b a n D e s i g n Framework

## Supplementary Planning Document

Issues & Options paper

June 2018

Consultation on this document takes place between 5 July and 13 September 2018.

To respond to this consultation please visit [www.brighton-hove.gov.uk/spd](http://www.brighton-hove.gov.uk/spd)

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### 1. Introduction

*“Good design is not just about the aesthetic improvement of environment, it is as much about improved quality of life, equality of opportunity and economic growth.”*

*The value of good design, CABE*

Good design does not just happen.

It is the result of a creative process that involves good designers and a commitment from key decision makers to achieving it.

High quality design transcends subjective issues of personal taste, style or architectural fashion. It is about creating places that are well built, work well and look good.

The Urban Design Framework Supplementary Planning Document (UDF SPD) will be used by the council to provide additional guidance to planning applicants and landowners on design policies set out in the City Plan Parts One and Two.

Fundamentally, these policies intend for good design to be seen as the norm, rather than the exception in Brighton & Hove. This demands that buildings and the spaces between buildings are designed around principles of good place making and sustainability.

Working on these principles will help deliver more successful places and need not add expense to the project, if considered early in the development process.

By setting out the processes and principles that are expected to be addressed by proposals for buildings and the spaces between them, the UDF SPD will help create sustainable places that deliver a good quality of life and prevent costly poor design.

#### What is an SPD?

Paragraph 153 of the National Planning Policy Framework states that SPDs ‘should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.’

A SPD cannot make new policy or change existing policies but can help demonstrate how policy requirements, such as targets for new homes and other uses, can be successfully met.

Local communities will be consulted at different stages in the preparation of the UDF SPD to make sure that they have a chance to comment on this guidance. This helps the council identify local priorities and aspirations, as well as engage with local partnerships.

The council will consider the issues and themes raised through the consultation to help to inform the SPD. A diagram summarising the stages in the preparation of this SPD is provided in Appendix 1.

#### What are the policy guidelines for the UDF SPD?

City Plan Part One Policy CP12 states that the UDF will be a city-wide document that will seek to identify and set out:

- Areas which should be largely be conserved and/or enhanced;
- Priorities for planning design guidance;
- Strategic views; and
- Area- and site-specific design principles.

It will also aim to:

- Provide clarity about areas that can accommodate taller development;

- Support public realm improvements that create pedestrian-cyclist friendly spaces that accommodate the needs of all people and achieve consistent aims and standards;
- Be informed by relevant studies, in particular the Urban Characterisation Study and Historic Character Assessment report; and
- Contribute towards the implementation of Public Spaces Public Lives, Streetscape Design Guidelines and other relevant strategies.

The preparation of the UDF SPD will look at opportunities to support constructive design discussions between applicants, designers, planning officers, councillors and communities and by outlining potentially appropriate solutions and illustrating best practice in the city and elsewhere.

Detailed information about the policy context informing the preparation of this SPD is provided in Appendix 2. A glossary is provided in Appendix 5.

## 2. Purpose of the Issues & Options paper

*“Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people”.*

*National Planning Policy Framework, paragraph 56.*

The purpose of this ‘Issues and Options’ paper is to promote discussion and build consensus on the type and content of guidance prepared to support the delivery of Policy CP12 Urban Design and other relevant City Plan Policies.

The paper sets out some of the key design challenges and outlines options for how these could be addressed through a:

- **City Plan policies only** approach - City Plan policies provide sufficient guidance and no further guidance is needed;

- **Broad brush SPD** approach - to identify and summarise the parameters, supporting evidence and basic analysis that would be required as part of a planning application. Based primarily on information already available (e.g. via existing studies and approved planning applications); and/or
- **Detailed SPD** approach – the SPD frontloads design and masterplanning issues that could facilitate the submission of a planning application (e.g. identifies broad locations for particular land-uses, higher densities, height ranges, key landscape/access/movement links and infrastructure).

The options are not mutually exclusive. A combination of approaches could be considered as the most suitable way forward. For example, for some issues the guidance in the policy may be sufficient, but other issues may require more detailed supplementary guidance or a masterplanning approach. Consultation may also propose alternative approaches to address an issue.

This consultation paper will guide a series of discussions and workshops to gather stakeholders’ views on the identified issues and options at an early stage in the preparation of the SPD.

The outcome of this consultation will inform the preparation of a Draft UDF SPD. A city-wide consultation exercise for the Draft SPD is expected to take place Summer 2019.

## 3. SDP Issues & Options

The challenges identified have been grouped into 5 issues. For each issue this paper sets out:

- a brief summary of the current approach and what the City Plan expects from the UDF SPD; and
- the options illustrating the level of detail for the reader to choose from.

## Issue A: Priority areas for enhancement and design guidance

Brighton & Hove's population could reach nearly 290,000 by 2021<sup>1</sup>, creating challenges for meeting the city's housing and other land use needs. The city therefore needs to make the best use of its existing land resource and one way of doing this is to increase density - the degree to which land is used or occupied.

Higher densities can be a contentious issue for local communities concerned about the legacy of past mistakes in urban regeneration. However, lessons have been learnt about the ways in which good design can help to deliver more high-quality buildings and spaces while creating the critical mass to support better and more diverse local shops and services and improved social, environmental and transport infrastructure.

City Plan policies actively promote high-density, mixed-use development and view high quality design as key to delivering acceptable development in a city with high housing demand, significant spatial constraints and sensitive landscapes.

The council's [Urban Characterisation Study](#) (UCS 2009) provides a comprehensive understanding of the diversity and quality of the city's urban character and the pressures affecting it. This study identified 32 distinct neighbourhoods, in addition to the central conservation areas.

Further work is required to illustrate whether and how those neighbourhoods could satisfactorily accommodate higher densities and to identify pro-active measures that could help to secure major enhancements to their built environment and public realm.

**City Plan policies highlight the need for the UDF SPD to identify and set out:**

- **areas of the city which should largely be conserved or are suitable for positive incremental or major enhancement;**
- **priorities for public realm improvements; and**
- **priorities for preparing planning briefs and guidance.**

### Options

These potential options have been drafted to stimulate debate for the early stakeholder consultation stage. They do not necessarily represent current or future council policy.

#### A1 City Plan only

- City Plan Policies and supporting documents provide sufficient guidance.

#### A2 Broad brush SPD

- Using a neighbourhood approach as set out in Urban Characterisation Study and Character Assessments to evaluate scale of sensitivity to change and shared urban design issues that warrant the provision of a consistent approach to development proposals.
- Identify opportunities for increasing density and priority areas for masterplanning and public realm improvements.
- Provide guidance on design principles to guide new development based on approved planning applications and DesignPLACE panel advice (see Example A2 below).

#### A3 Detailed SPD

- Through a more detailed masterplan approach identify priority areas for change and design priorities on a thematic basis (see Example A3 below).
- Provide further guidance on densities, public space potential and urban design principles.

<sup>1</sup> [Brighton & Hove City Snapshot – Summary of Statistics 2014](#)



**Example A2: Design principles for Strategic Allocation based on masterplan set out in approved planning application – [Masterplanning study submitted as part of planning application BH2016/ 02499](#) (Anston House).**

Anston House is one of a number of sites that form part of City Plan Part One’s Strategic Allocation 125-163 Preston Road within Development Area 4 (New England Quarter and London Road Area).

During the pre-application stage, the applicant commissioned a masterplan to establish a clear and well-defined design response for a development that would set the tone for future development in the Preston Road and Strategic Allocation area.

The masterplan was submitted to and received feedback from the South East Design Review Panel and forms part of the planning application approved in late 2016.

This approach to development design was actively encouraged by the Local Planning Authority.

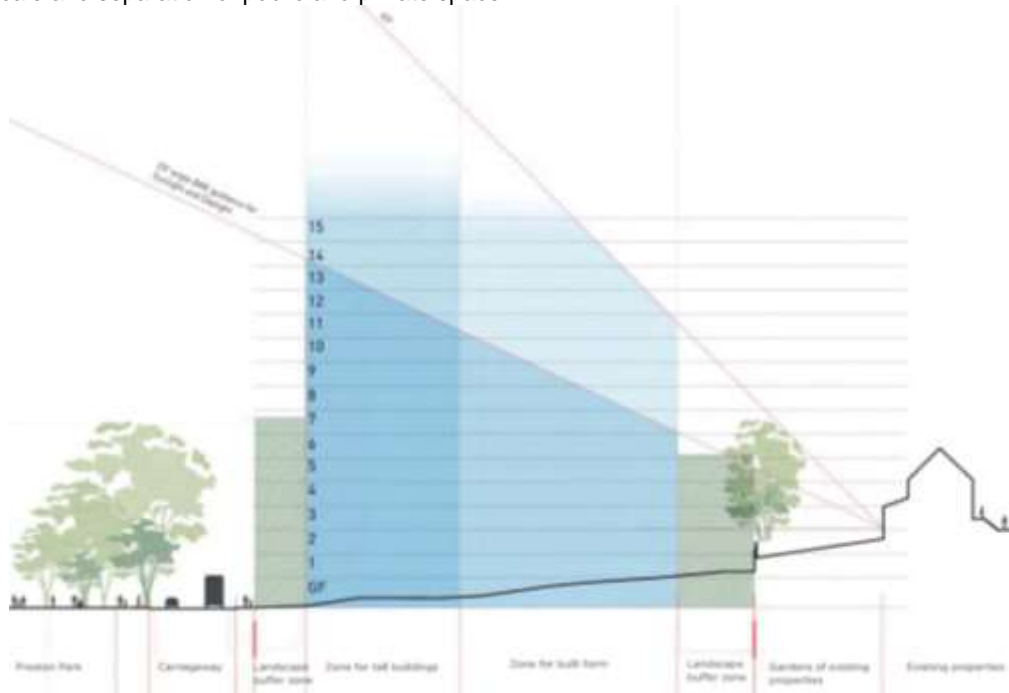
The 6 design principles identified in the masterplan are summarised below. For more information about masterplan content please refer to the Design and Access Statement (in particular parts [1](#), [2](#) and [3](#)) available in the ‘[Documents](#)’ webpage for this application.

A broad brush UDF SPD could signpost area and/or site-based design principles and enhancement priorities established as part of approved planning applications.

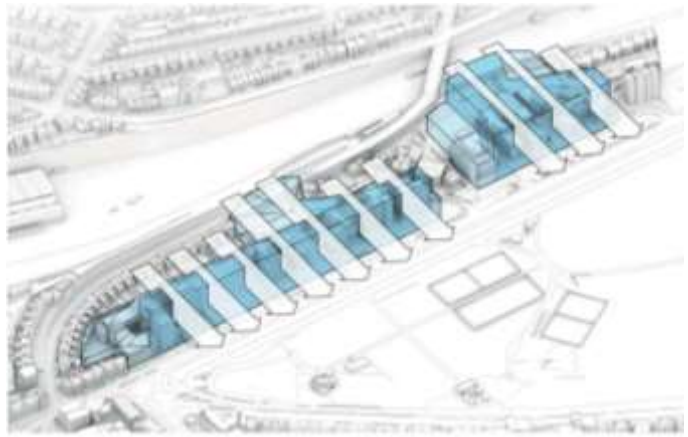
Principle 1 - Introduction of a landscaped zone along Preston Park: the principle seeks to create a boulevard through the Introduction of a landscaped zone along Preston Road to enhance and mend the greenway.



Principle 2 - Layering from (Preston Road) front to (residential properties at the) back: a hierarchy of defined zones establish scale and separation of public and private space.

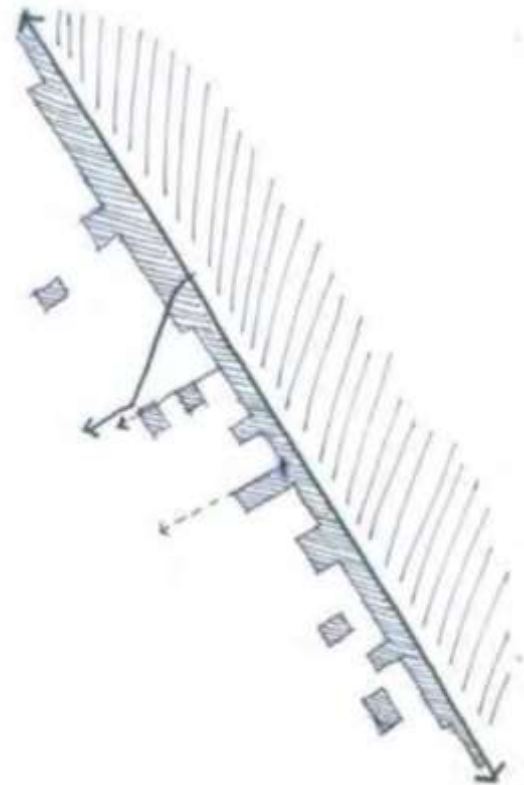
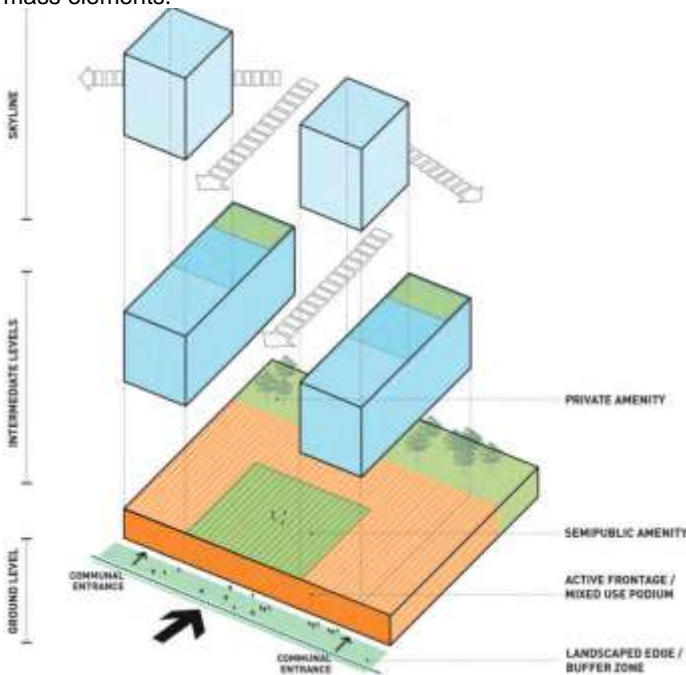


**Example A2 (continued): Design principles for Strategic Allocation based on masterplan set out in approved planning application – [Masterplanning study submitted as part of planning application BH2016/ 02499](#) (Anston House).**



Principle 5 - Vertical layering of uses: creates a hierarchy of privacy and defines a reduction in mass as height increases ranging from a defined continuous ground floor to broken skyline mass elements.

Principle 6 - Introduction of courtyards and small open spaces on the west side of Preston Road: creates opportunities for ground floor activity and amenity spaces to promote activity on site.

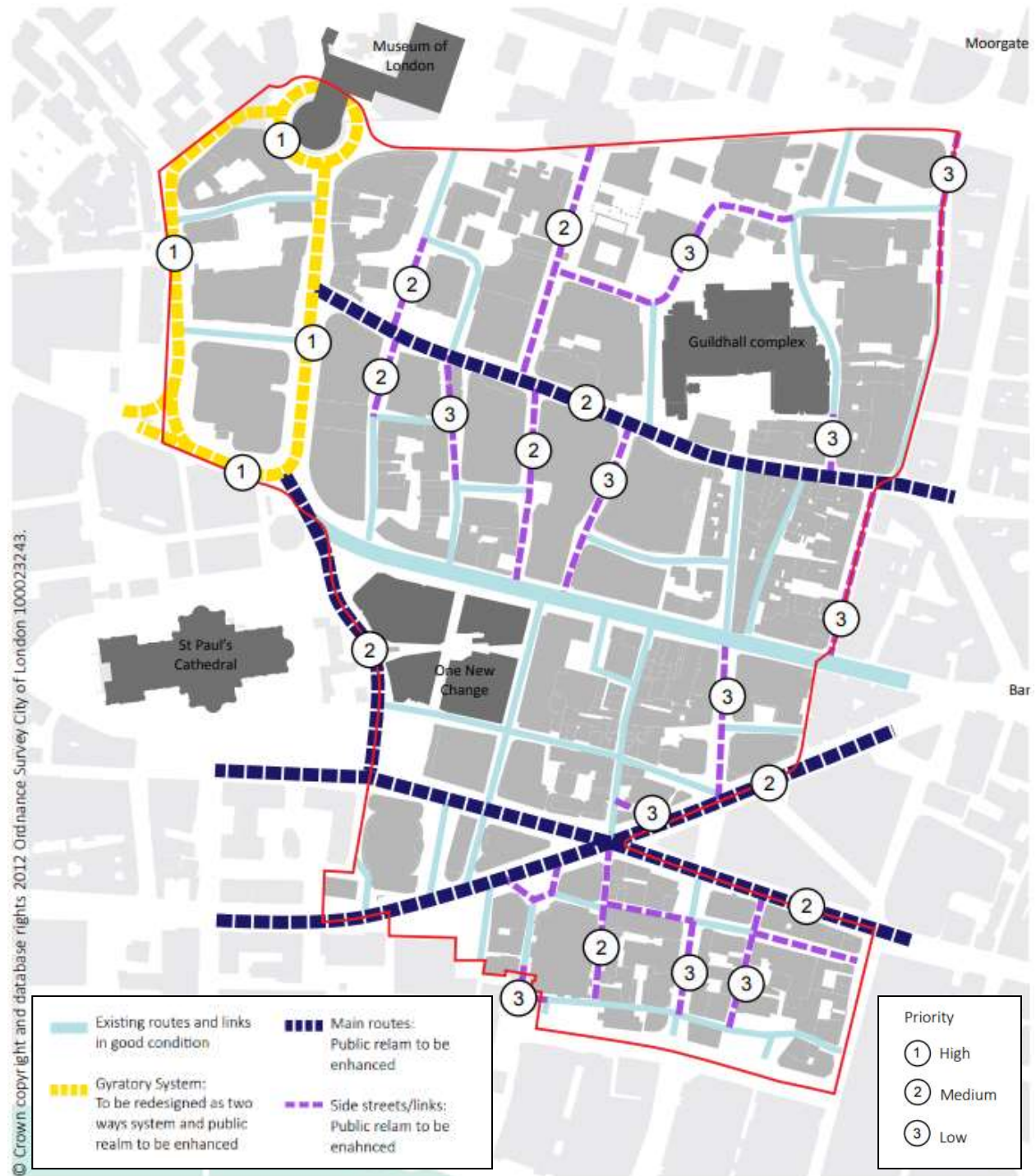


**Example A.3: Guidance identifying areas for transport and public realm enhancement and improvement - [City of London's Cheapside & Guildhall Area Enhancement Strategy](#)**

In order to deliver projects that support the objectives of its planning policies, the City of London has developed an area-based approach to enhancement strategies. The strategies deal almost exclusively with the enhancement of highways and the public realm under the City's Highway Authority or Open Spaces stewardship.

The mapplan shown below illustrates proposed public realm enhancements for the Cheapside & Guildhall area.

A detailed UDF SPD could adopt a similar thematic approach to identify key objectives and priorities for Development Areas.



## Issue B: Accommodating taller development

City Plan Part One Policy CP14 Housing Density encourages higher densities in appropriate locations across the city. In some areas, this will include the potential to accommodate taller buildings.

Following a detailed analysis of Brighton & Hove carried out at a strategic level as part of the [Tall Buildings Study](#) (2003), area-based opportunities for taller buildings have been carefully identified. These are defined as buildings of 18 metres or more in height (approximately 6 storeys).

The areas considered suitable for taller development are generally visually recessive on the valley floors or the seafront; have limited impact on heritage settings; are well served by sustainable transport; support local commercial/shopping centres; relate to existing taller building clusters; and are in the vicinity of open space.

Many of these areas, which take the form of either nodes or corridors, fall within the City Plan's identified Development Areas. They are described in City Plan Part One Policy CP12 Urban Design (see Appendix 3).

Proposals for new tall buildings in and/or outside these areas will trigger the guidelines set out in [Supplementary Planning Guidance Note \(SPGBH\) 15 Tall Buildings](#).

Planning applicants are asked to address the assessment criteria set out in SPGBH15 via the submission of a Tall Buildings Statement (see Appendix 4).

**City Plan policies identify the need for the UDF SPD to identify and set out:**

- **the boundaries of the tall building areas;**
- **appropriate height ranges for tall building areas; and**
- **strategic design criteria for new tall building development.**

### Options

These potential options have been drafted to stimulate debate for the early stakeholder consultation stage. They do not necessarily represent current or future council policy.

#### B1 City Plan only

- City Plan Policies and supporting documents provide sufficient guidance.

#### B2 Broad brush SPD

- Consider options to incorporate area boundaries and zones suitable, potentially suitable or not suitable for tall buildings set out in 2003 Tall Buildings Study (see Example B2 below).
- Identify height limits for each area/zone using the ranges set out in SPGBH15.
- Incorporate criteria-based approach set out in SPGBH15 for assessment of proposals inside and outside tall building areas into SPD.

#### B3 Detailed SPD

- Through a more detailed masterplan, 3D-based approach delineate, in map form, tall building area boundaries and zones.
- Provide guidance on densities, public space potential and key urban design principles to guide development (see Example B3 below).
- Explore opportunities to review criteria-based assessment set out in SPGBH15 for proposals inside and outside tall building areas.

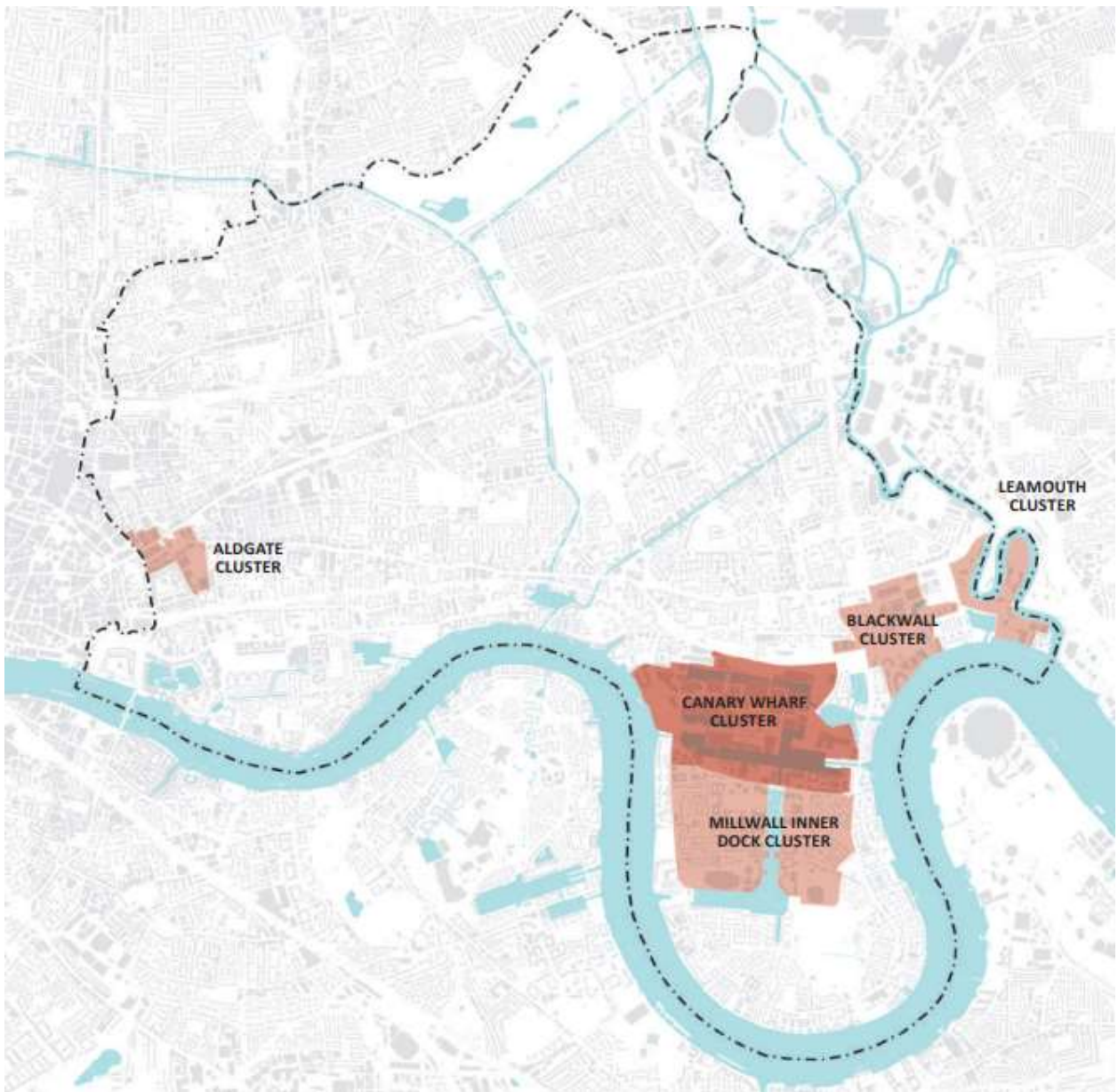
**Example B2: Draft report outlining tall building zones - [London Borough of Tower Hamlets Tall Buildings Study Draft Report](#)**

This 2017 study sets out 12 high-level design principles that any tall building proposal would need to consider anywhere in the borough; identifies 5 locations/zones where tall buildings are considered to be appropriate and provides advice on potential heights for tall buildings for each zone.

The design principles include understanding of context, response to heritage assets, approach to landmarking, tall building clusters, land uses, architectural quality, relationship to public realm, impacts on the local environment and recent tall buildings activity.

The analysis and recommended strategy emerging from this and the 2004 Brighton & Hove Tall Buildings Study are remarkably similar. Recommendations regarding zone boundaries and height ranges for each zone were not progressed into SPGBH 15 Tall Buildings.

A broad brush UDF SPD could, in the light of recent tall building activity, revisit and/or review study findings to signpost more clearly boundaries and preferred height ranges for each of the tall building areas identified in City Plan Part One Policy CP12.



**Example B3: Masterplan-based guidance setting out building heights, density, massing and urban form - [London Borough of Brent's South Kilburn SPD](#).**

This SPD identifies generic and site-specific design principles and parameters to guide future development in the South Kilburn Growth Area of the London Borough of Brent.


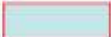
The guidance seeks to provide greater clarity regarding the form and quality of acceptable development, including opportunities for taller buildings in an area where the predominant building height is 4 to 8 storey. Examples of locations where greater height might be appropriate are provided. Opportunities for buildings to go slightly higher in locations such as corners, ends of vistas and frontages on principal streets are also identified.

The extract from the map below sets out indicative heights and densities across the area. The images in the next page show indicative 3D massing and heights for the area with details provided for the Queen's Park & Cullen House Site Allocation.

Building on the findings of the Brighton & Hove Tall Buildings Study, a detailed UDF SPD could contain indicative boundaries, height ranges and/or densities. It could also signpost locations and/or instances where new development could be modestly higher than prevailing building height.

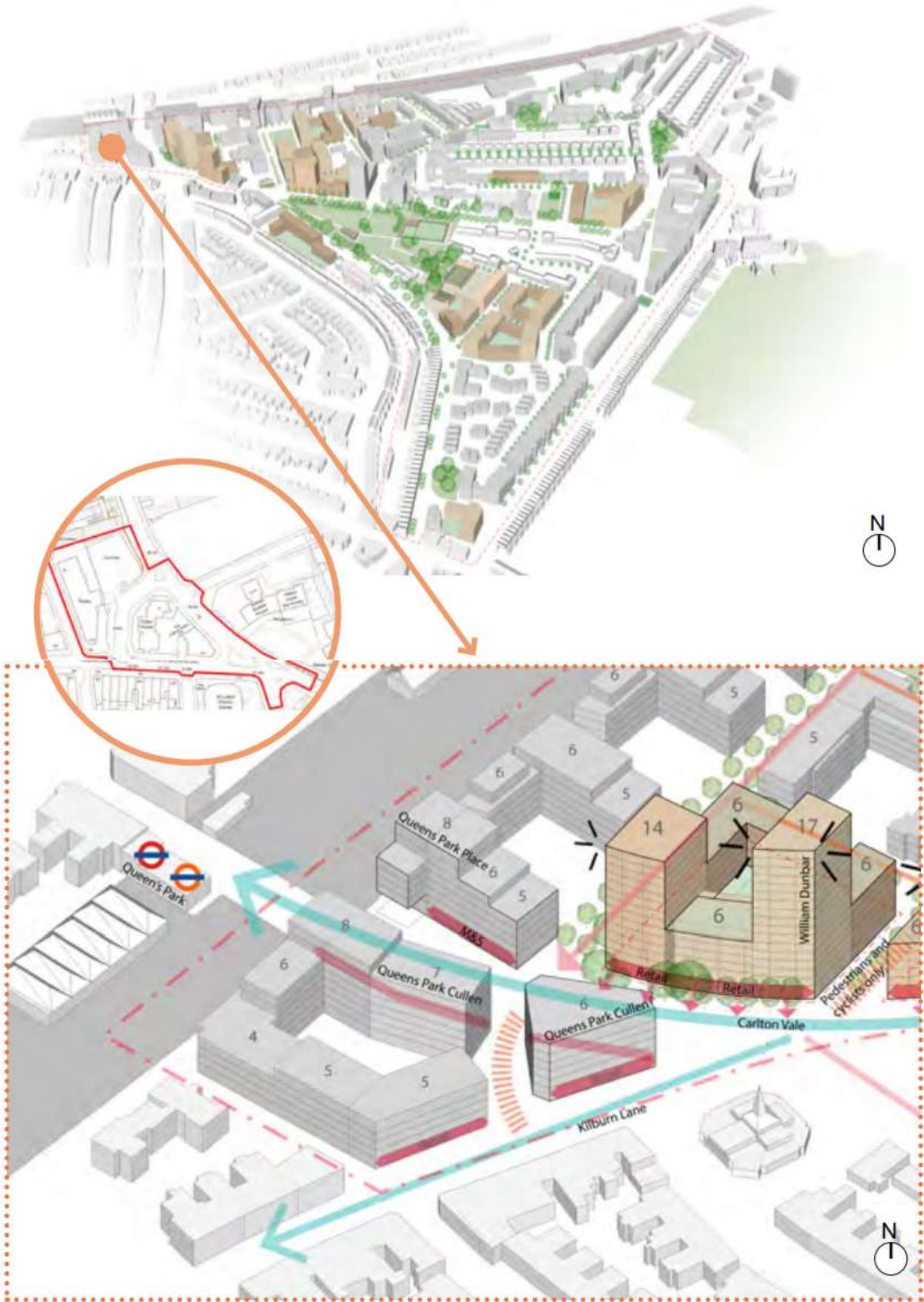


**Heights and densities**

	Regeneration sites		10+ Storeys
	Podium		Density 450 - 700 HRH
	1-3 Storeys		Density 750 - 900 HRH
	4-5 Storeys		Density 900 - 1200 HRH
	6-7 Storeys		Density 1200+ HRH
	8-10 Storeys		

*HRH is a density benchmark that is based on workforce-to-population ratio method. For example, a health worker-to-population ratio estimates the current workforce density or supply, compared against an identified threshold density that is assumed to correspond with a health system's ability to deliver essential health services.*

**Example B3: Masterplan-based guidance setting out building heights, density, massing and urban form - [London Borough of Brent's South Kilburn SPD](#).**



## Issue C: Building design

National policy requires that planning applications for major development<sup>2</sup> and, in some instances, for development in Conservation Areas be accompanied by a Design and Access Statement. This statement should be used to explain the design principles and concepts that have been applied to the development proposed with the level of detail being proportionate to the complexity of the application.

City Plan Part One Policy CP12 and other policies seek to ensure that proposals are based upon a good understanding of site characteristics and the wider context. This means a site appraisal process is required that establishes design principles around which the scheme will be developed.

Design principles to be considered in formulating proposals for extensions and alterations to buildings and for tall buildings in the city are currently set out in [SPD12](#) and [SPGBH15](#) respectively.

These would include, for example, building layout and frontages, focal points, views in and out and main routes/connections.

This approach risks a piecemeal approach to development that fails to make the best of sites or address the needs and aspirations of local communities.

Identifying design principles and priorities for masterplanning early on in the design process is one way to provide greater clarity to everyone involved in the development and planning process, in particular when it comes to areas of the city where growth is expected.

**City Plan policies identify the need for the UDF SPD to:**

- **identify area- and site-specific design principles; and**
- **set out priorities for planning guidance.**

### Options

These potential options have been drafted to stimulate debate for the early stakeholder consultation stage. They do not necessarily represent current or future council policy.

#### C1 City Plan only

- City Plan Policies and supporting documents provide sufficient guidance.

#### C2 Broad brush SPD

- Set out best practice principles for neighbourhoods that could be followed by different types of development to demonstrate that the proposal is based upon a clear appreciation of the site and its wider context (see Example C2 below).
- Identify benchmarks that could be used to assist in the assessment of proposals, including design review and/or existing design industry standards such as, for example, [Building for Life](#).

#### C3 Detailed SPD

- Work up development principles for areas and/or sites where the potential for masterplanning to raise quality and unlock development has been identified. For example, City Plan Development Areas and Strategic Allocations.
- Set out the place making principles that can be used for assessing development proposals and some principles appropriate for different scales of development, including proposals of less than 10 dwellings (see Example C3 below).

<sup>2</sup> Development involving 10 or more housing units; a site having an area of 0.5 hectares or more; the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or development carried out on a site having an area of 1 hectare or more. For a more detailed definition please see [Town and County Planning Act 1990](#).



**Example C2: Design guidance for development that includes checklist - [Wakefield District Council's Residential Design Guide SPD – Part 1: Guidance for housebuilders](#)**

This guide sets out best practice advice to help add value and design quality to residential design proposals. It outlines generic principles that collectively can have a positive impact upon neighbourhood design and contains a checklist that reminds designers of how these can be combined to help deliver a range of policy objectives.

Diagrams like the one shown below are used to illustrate how this might be achieved. For instance, designing development that encourages walking and cycling by making

streets easy to cross and pleasant to walk by using planting that provides shade, interest over the seasons, enhances biodiversity and help absorb pollutants.

Building on the findings of the Brighton & Hove's Urban Characterisation Study, a broad brush UDF SPD could identify generic design principles and signpost integrated building design best practice that can achieve multiple policy objectives for the development and the wider neighbourhood context.



**Example C3:** Design guidance for regeneration area - [Wakefield District Council's City Centre Urban Design Framework SPD](#)

This SPD complements the city-wide guidance referred to in Example C2, focusing on how the Wakefield city centre can successfully accommodate new development, in particular housing. The guidance sets out 9 overarching placemaking principles to help ensure the area is developed harmoniously, maintaining a balance between the built environment and its people.

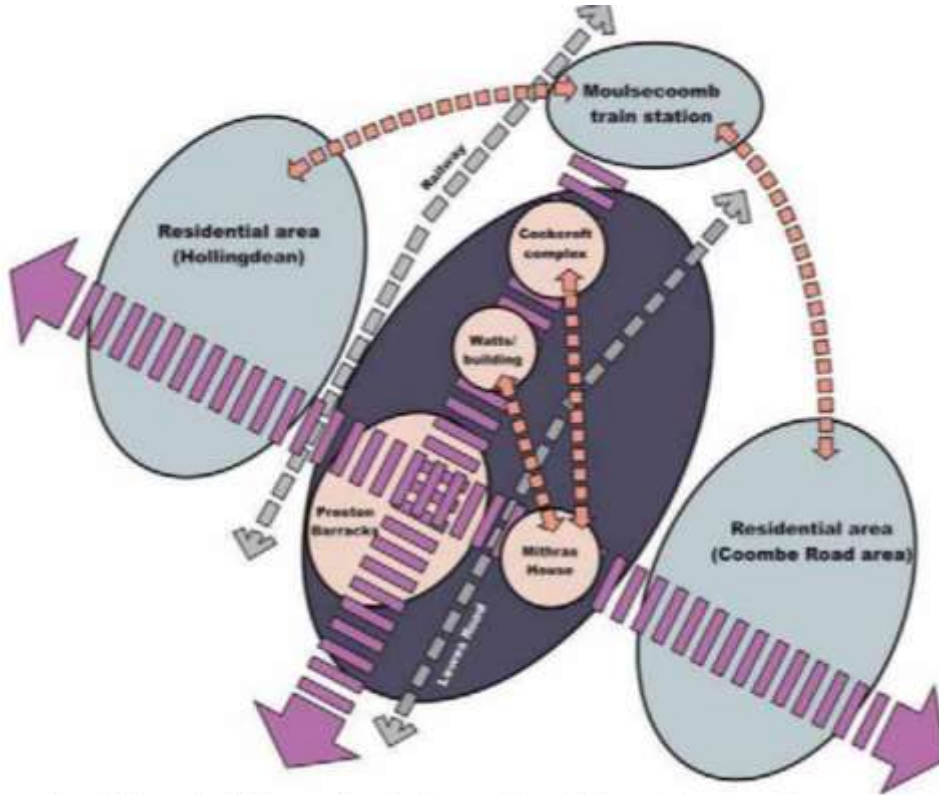
Using a high-level masterplanning approach, it also identifies design priorities for clusters of sites identified for development (see example of north of Ings Road sites below).

A detailed UDF SPD could adopt a similar approach to identify placemaking principles for the city as a whole and/or Development Areas and/or Strategic Allocations identified in City Plan Part One.

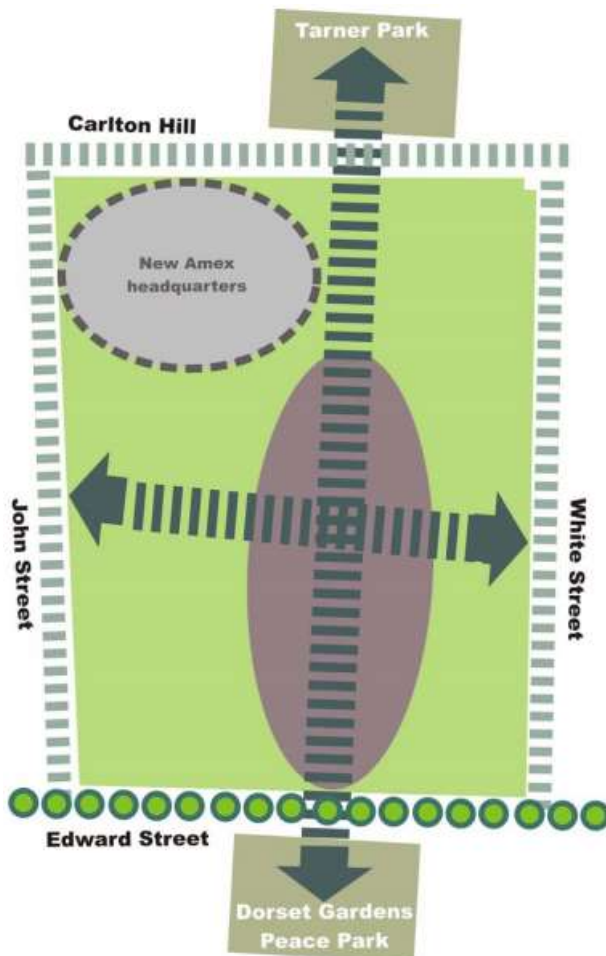
This approach has been used in the city to support the delivery of strategic sites including [Edward Street Quarter](#) and [Preston Barracks and University of Brighton](#) (see schematic masterplan on the next page).



**Example C3: Design guidance for regeneration area – [Lewes Road](#) and [Edward Street Quarter](#) Planning Briefs**



*Lewes Road (Preston Barracks and University of Brighton - 2011): Schematic illustration of development principles.*



*Edward Street Quarter Planning Brief (2013): Schematic illustration of indicative greening strategy.*

## Issue D: Public realm design

Excellence in public realm design is about creating the right conditions to make places in the city work well.

Brighton & Hove's public highways, parks and gardens, cycle and walkways and private land that is accessible to the public provide the means for people to move quickly and safely through the city as well as providing places for socialising, sitting quietly, sightseeing, entertainment and enjoying outdoor events.

Policy CP13 Public Streets and Spaces and other City Plan policies seek to aid the evolution and enhancement of public realm in new development by, among other things, setting standards of excellence in public realm design.

The city's future attractiveness and competitiveness is partly dependent on using best practice design principles to create streets and public spaces that are functional and safe, and which enhance the quality of life for all users.

This means encouraging planning proposals to adopt a robust design

approach that shows an understanding of the role of the place, movement and other functions of the city's public realm (e.g. open space, sports provision, health, water management and habitat enhancement).

The [Public Space Public Life Study](#) identifies a hierarchy of routes that could make the experience of moving through the city more continuous and consistent. The [Streetscape Design Guidelines](#) sets out standards of design and installation specifications for street furniture and surface materials.

**City Plan policies identify the need for the UDF SPD to:**

- **ensure that public realm improvements create pedestrian-cyclist friendly spaces that accommodate needs of all people;**
- **achieve consistent aims and standards in public realm design and delivery;**
- **identify area- and site-specific design principles; and**
- **set out priority for planning guidance.**

### Options

These potential options have been drafted to stimulate debate for the early stakeholder consultation stage. They do not necessarily represent current or future council policy.

#### D1 City Plan only

- City Plan Policies and supporting documents provide sufficient guidance.

#### D2 Broad brush SPD

- Identify opportunities to better integrate land use, water management, green network, health and transport policy objectives into public realm in order to deliver a simpler and less cluttered appearance with high quality materials and low maintenance requirements (see Example C2 Edward Street Quarter greening strategy in page 16).
- Set out urban design best practice principles and standards and provide guidance for priority areas for public realm improvements that respond to the needs of the local community, including businesses and visitors.

#### D3 Detailed SPD

- Through a more detailed masterplan approach identify placemaking principles and minimum standards that will be used for assessing public realm proposals as well as management and maintenance issues to ensure that long-term quality is achieved (see Example D3 below).

**Example D3:** Public realm guidance identifying design principles according to street and/or space type - [Southampton's Streets and Spaces Framework](#)

This framework provides strategic guidance for the city's network of streets and spaces. The map extract below represents a hierarchy of the network that includes primary roads and public spaces (level 1) and remaining public spaces and streets (level 2).

It identifies 12 key integrated design principles that can be applied to the different elements within the network and sets out aspirations for Level 1 routes. Below is a summary of aspirations for the Green Mile, a primary route into Southampton.

The framework also contains a checklist to help assess streets and spaces enhancements. See extract below.

Building on the Brighton & Hove's Public Spaces, Public Lives strategy, Streetscape Design Guidelines and recent public realm improvements, a detailed UDF SPD could set out indicative design principles for different types of public realm areas across the city and/or in Development Areas and/or Strategic Allocations identified in City Plan Part One.



04. The Green Mile — From the Central Parks via Queensway to Queens Park.

#### GREEN MILE

##### KEY ASPIRATIONS

- To make a major contribution to the greening of the city; a key aspiration of the CCAP
- To increase the opportunity for reducing surface water run-off by the minimising of hard surfacing
- To increase street tree planting to improve the city's micro-climate
- To implement a major sustainable urban drainage scheme

## Performance Checklist for streets + spaces enhancements (extract)

### DESIGN + APPEARANCE

6. Does the street or space respond to local distinctiveness and context?
7. Is the street or space defined by a well-structured building layout?
8. Does parking add to or detract from the street scene?
9. Does the street or space integrate with existing roads, streets, paths and/or the surrounding development?
10. Do buildings, street and spaces take priority over the roads and parking so that highways do not dominate?

### ENVIRONMENT

11. Does the "place fit the space"?
12. Does the place positively exploit the existing buildings, landscape and topography?
13. Is the street or space overlooked and does it feel safe, both night and day?
14. Is there shelter from the wind, weather and noise?
15. Has the street or space been designed to reduce its environmental impact?

## Issue E: Views and vistas

Views play an important role in shaping people's appreciation and understanding of the city. The existence of particular views adds to peoples' enjoyment of places and particular views can become cherished because of their distinctiveness with important buildings and landscapes.

Due to the topography of Brighton & Hove long views from elevated points are common and a number of these will have city-wide implications. A number of strategic views from specific points within Brighton & Hove have been identified in the [Tall Buildings](#) and [Urban Characterisation](#) Studies.

These are generally distant views from elevated locations, mostly on the periphery of the built-up area, and include some panoramic views.

In determining the strategic views the key factors are: the degree to which the view illustrates the relationship between

the built up city and the Downs and/or the sea; the prominence of key ridge lines; the extent to which the view reveals the typical pattern of past development; and the presence of any notable landmarks or heritage assets.

These views will be particularly relevant in assessing the merits of proposals for taller buildings or for larger scale developments in elevated locations.

The Local Planning Authority (LPA) will require applicants to highlight those views that are relevant to their application and to demonstrate that the relevant views would be protected or enhanced by their proposals in accordance with policy CP12 Urban Design.

**City Plan policies identify the need for the UDF SPD to:**

- **identify and set out strategic views.**

### Options

These potential options have been drafted to stimulate debate for the early stakeholder consultation stage. They do not necessarily represent current or future council policy.

#### E1 City Plan only

- City Plan Policies and supporting documents provide sufficient guidance.

#### E2 Broad brush SPD

- Highlight important views identified in the Tall Buildings Study, Urban Characterisation Study, Conservation Area Character Statements, area-based Supplementary Planning Documents and planning briefs and approved planning applications. (see Example E2 below).

#### E3 Detailed SPD

- Through a more detailed masterplan approach outline strategic and key local views and their sensitivity to change to ensure a consistent approach to the visual assessment of new development in the city (see Example E2 below).

**Example E2: Guidance that identifies views of local significance as part of a broader assessment framework - [London Borough of Wandsworth Local Plan SPD Local Views](#)**

This guidance sets out 6 Local Views that are considered to have the greatest borough-wide importance. These complement the set of strategic views identified in the London View Management Framework, Wandsworth Local Plan and Conservation Area Appraisals and Management Strategies. It focuses on views upstream and downstream from bridges over the River Thames and of Heritage assets identifying viewpoints and setting out how the council will assess the

impact of new development on river frontages, established longer distance landmarks and specific heritage assets within the borough.

A broad brush UDF SPD could signpost views identified in the relevant studies, documents and approved planning applications.

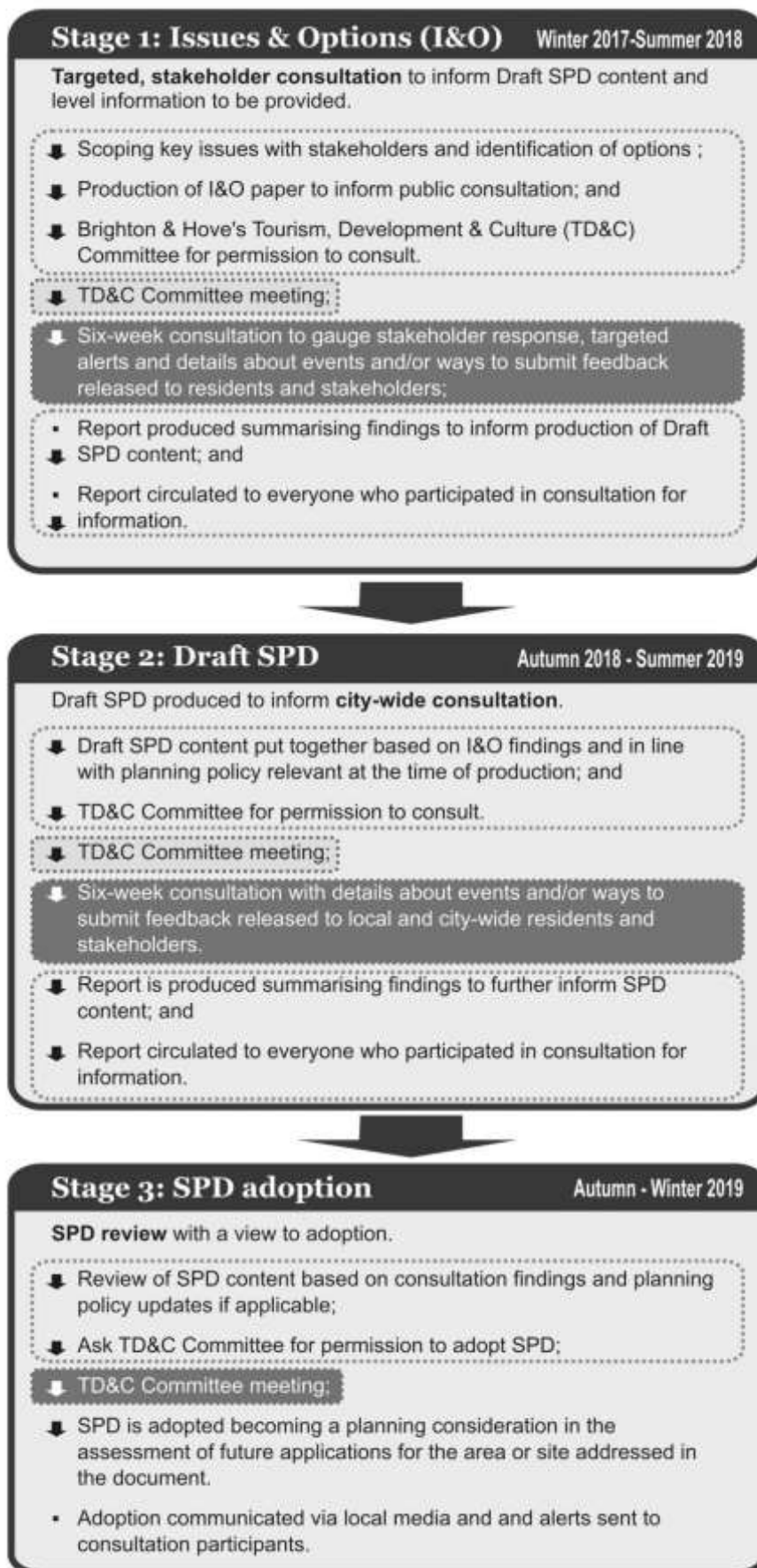
A detailed UDF SPD could also help to identify indicative local views.



View 5: From Queenstown Road to Battersea Power Station (above) and viewing point (below)



## Appendix 1 - Stages in the preparation of the UDF SPD





## Appendix 2 – Design policy context

The UDF SPD will demonstrate how the requirements of national and local planning policy can be met with the aim of producing consistently high quality design outcomes. Proposals that follow this guidance could be more likely to move through the planning process quickly and successfully. The following provides an overview of the key policies as they relate to design.

### National Planning Policy

The [Planning Act 2008](#) (section 183) requires local authorities to have regard to the desirability of achieving good design. This SPD contributes to meeting the duty placed on local authorities by the Act.

The [National Planning Policy Framework \(NPPF\)](#) and its accompanying [Technical Guidance](#) recognise the importance and value of good design as an essential component of sustainable development. [These documents are currently under review](#) with proposals for 'Policy 12 Achieving well-design places' to support a proactive, contextual approach to the creation of high-quality buildings and places that respond to the aspirations of local communities.

### Local Planning Policy

#### [Brighton & Hove City Plan Part One](#) (adopted in 2016)

**CP12 Urban Design** is the key and overarching policy regarding development design along with **CP13 Streets and Open Spaces** that focuses on the spaces between buildings. Additionally, the UDF is referenced in a number of policies across the Plan including SS1 Presumption in Favour of Sustainable Development, Development Areas Brighton Marina, Gas Works and Black Rock Area, DA3 Lewes Road, DA5 Eastern Road and Edward Street, DA6 Hove Station Area, CP1 Housing Delivery, CP5 Culture and Tourism, CP8 Sustainable Buildings and CP14 Housing Density and CP15 Heritage.

#### [Brighton & Hove Local Plan](#) (adopted in 2005)

There are a number of retained Local Plan policies that deal with design issues. Most form part of Chapter 3 and cover a range of issues such as, for example, QD27 Protection of Amenity, QD14 Extensions and alterations and QD14 Landscape design. These policies will be replaced through [Brighton & Hove City Plan Part Two](#) which the council is currently preparing. The UDF is expected to provide supplementary guidance on some of these issues.

#### [Supplementary Planning Documents \(SPD\)](#) and [Guidance \(SPG\)](#)

The Adopted City Plan and retained Local Plan Policies are supported by a range of detailed guidance on how these will be implemented. If adopted, the UDF SPD will form part of this set of planning documents.

## Appendix 3 – Tall Building areas

Below is a transcript of the 12 tall building areas identified in City Plan Part One Policy CP12 Urban Design.

4.146 Given the city’s physical and environmental constraints there is a need to increase density on existing brownfield land in a positive and sustainable manner. Taller buildings (in the context of the city’s prevailing built form) offer one potential way of achieving this in appropriate locations. This policy seeks to ensure that such proposals are directed towards those broad areas where such potential has been identified. The areas are described in greater detail as follows:

- Brighton Marina – is a node (place where activity and routes are concentrated) limited to the boundaries formed by the eastern and western breakwaters and the undercliff walk to the north.
- Brighton Station / New England area – is a node situated to the east of Brighton Station, to the north of Trafalgar Street and along New England Street.
- Central Seafront – is a node comprising a small area to the east of Sussex Heights that includes Churchill Square, the Brighton Centre and the Odeon Cinema complex.
- Eastern Road / Edward Street – is a linear corridor broadly stretching from William Street in the west to Bristol Gate in the east and which focuses on the opportunities around existing tall buildings, particularly those at the County Hospital.
- Hove Station area – is a node situated on both sides of the rail corridor, extending westward to include the existing group of tall residential buildings to the north of Clarendon Road, together with the adjoining industrial areas.
- Lewes Road corridor – is a linear area centred on the University of Brighton’s Moulsecoomb campus and the former Preston Barracks site.
- London Road / Preston Road corridor – is a linear area focused around existing ‘mid rise’ tall buildings that front the western edges of Preston Park, Surrenden Field and Withdean Park.
- Western Seafront / Kingsway – is a linear corridor along the stretch of Kingsway that directly overlooks Hove’s Western Lawns as far west as Wish Road.
- Shoreham Harbour – is a node focused on the eastern-most area of the harbour within the Brighton & Hove City boundary, including both the docksides and the commercial area immediately north of Wellington Road.

## Appendix 4 – Tall Building Statement assessment criteria

All planning applications involving tall buildings in the city must be accompanied by a Tall Building Statement. Below is a summary of the assessment criteria that should be addressed by applicants as part of the Statement.

<b>Planning principles:</b>	<ul style="list-style-type: none"> <li>▪ Sustainability</li> <li>▪ Land use mix</li> <li>▪ Infrastructure</li> <li>▪ Transport</li> </ul>	<b>Wider context:</b>	<ul style="list-style-type: none"> <li>▪ Visual Impact</li> <li>▪ Siting of buildings</li> <li>▪ Conservation</li> </ul>
<b>Detailed design considerations:</b>	<ul style="list-style-type: none"> <li>▪ Alignment</li> <li>▪ Massing Scale</li> <li>▪ Form Urban Pattern</li> <li>▪ Streetscape</li> <li>▪ Public Realm</li> </ul>	<ul style="list-style-type: none"> <li>▪ Public Access</li> <li>▪ Accessibility</li> <li>▪ Open Space</li> <li>▪ Climatic Impact</li> </ul>	<ul style="list-style-type: none"> <li>▪ Neighbourliness</li> <li>▪ Technology</li> <li>▪ Materials</li> <li>▪ Maintenance</li> </ul>

## Appendix 5 - Glossary

**Accessible** refers to a destination that is easy to get to or the feeling of belonging or ability to occupy a space or place.

**Accessibility** applies to a building and/or space that is easy for disabled people to enter and move through.

**Adaptability** is the ability of the form and pattern of development to adapt over time to a city's and neighbourhood's changing social, technological and economic conditions.

**Building envelope** is the skin of the building. It consists of the external walls, doors, windows, roof and lowest floor of the building.

**Built environment** refers to everything that is for humans, by humans, and to be used for human activity (versus natural environment). Examples would include cities, buildings, urban spaces, walkways, roads and parks.

**Character** is a recognisable feature and/or set of features that help identify a city or neighbourhood to its residents or visitors. This can include, for example, historic buildings, buildings with a distinct architecture, public art and public spaces. It can also refer to a development pattern created by a regular grid of streets and blocks reinforced by buildings that form a continuous street frontage.

**Convivial spaces** are open spaces where unplanned social interaction can occur. Examples may include (but are not limited to), urban plazas, courtyards, expanded building entrances, trail staging areas, park seating areas, pocket parks, etc.

**Corridors** (see tall building corridors).

**Density** refers to the number of units and/or people living in a given area. Typically measured in number of dwelling units per hectare or acre.

**Design code** approach whereby land owners establish the key components of the design of new developments up front and, through legal requirement, then require abidance by any developers subsequently wanting to build in the area covered by the code.

**Design principles** are a set of values to be expressed in the built environment that designers should consider when designing buildings and the spaces between them.

**Ecosystem services** refer to the function of existing natural systems that provide supportive functions to built infrastructure. Examples may include streets that are designed with greater water permeability than standard streets to capture and slowly release stormwater into the ground via vegetation and/or porous pavement.

**Form and massing** refers to a building's size, shape and configuration.

**Ground-floor oriented development** refers to buildings with views from and/or that have direct access from the street to individual units at the ground floor.

**Landmarks** are urban features with distinctive spatial features and by virtue of their colours, shape or value have the potential to help people to orientate or find their way in the environment.

**Land use mix** involves a range of complementary land uses that are located together in a balanced mix, including residential development, shops, employment community and recreation facilities and parks and open space.

**Legibility** is a clear and simple development pattern within a city and neighbourhood that enables residents and visitors to understand how an area is organised and to make their way around. This type of development pattern is generally delivered through a grid or modified grid network of streets that allows for easy navigation and provides a block pattern that creates increased connectivity, which also encourages alternative transport modes to the car. In turn, the block pattern sets the parameters for the type of built form that can be achieved.

**Linear area** is one that pertains to or resembles a line or corridor. Examples in Brighton & Hove are the areas along Lewes Road, Edward Street and the Seafront.

**Masterplan** is a detailed document that sets out guidelines for long-term development of an area or site over a specified period of time. They typically refer to large sections of land that are proposed to facilitate limited subdivision with development occurring primarily through the planning process.

**Mobility** refers to design and infrastructure that supports active (pedestrian and cyclist) modes of transportation as well as vehicle movement.

**Nodes** (see tall building notes).

**Placemaking** is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. The outcome should be sustainable, well-designed places and homes which meet people's needs by harnessing the distinct characteristics and strengths of each place to improve the overall quality of life for people.

**Public realm** is defined as any publicly owned streets, pathways, right of ways, parks, or publicly accessible spaces and any public and civic building and facility.

**Ridge line** is that along the highest points of a mountain ridge, an area of higher ground separating two adjacent valleys, streams or watersheds.

**Roof treatment** refers to exposed roof areas that offer a significant opportunity for overlook from floors above and below. These include mechanical systems, lifts and other appurtenances that should be integrated into the form and architecture of the building. Careful attention should be paid to the design and screening of these to ensure neighbouring buildings are not affected by noise pollution.

**Scale** is the relationship between elements of a building or the building and its surrounding context.

**Siting / Site layout** refers to the location/placement of buildings relative to one another, as well as their setbacks from the site's boundaries and spaces between buildings.

**Tall building corridors** refer to areas along transportation routes that are classified in the Brighton & Hove Tall Buildings Study as potentially suitable for accommodating taller development.

**Tall building nodes** refer to areas classified in the Brighton & Hove Tall Buildings Study as potentially suitable for intense assemblies of taller development.

**Topography** is the physical appearance and features of an area of land, especially the shape of its surface.

**Townscape** refers to the general view, appearance and character of an urban scene/landscape.

**Urban design** is the process of shaping the setting of buildings and public realm for cities, towns and villages. This process is considered key to making places where people will want to live and which will nurture economic activity.

**Valley floor** is the broad, flat bottom of a valley.

**Views and vistas** refer to a unique distant view, viewscape or view corridor along a road, through an opening or high point.



<b>Subject:</b>	<b>Beach Huts – Licence terms and conditions</b>		
<b>Date of Meeting:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Executive Director Environment, Economy &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Ian Shurrock</b>	<b>01273 292084</b>	
	<b>Name: Toni Manuel</b>	<b>Tel:</b>	<b>01273 290394</b>
	<b>Jane Pinnock</b>		<b>01273 290568</b>
	<b>Email:</b>	<a href="mailto:ian.shurrock@brighton-hove.gov.uk">ian.shurrock@brighton-hove.gov.uk</a>	
		<a href="mailto:Toni.manuel@brighton-hove.gov.uk">Toni.manuel@brighton-hove.gov.uk</a>	
		<a href="mailto:Jane.pinnock@brighton-hove.gov.uk">Jane.pinnock@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>Wish, Westbourne, Central Hove, Brunswick &amp; Adelaide</b>		

## **FOR GENERAL RELEASE**

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 At the January 2018 meeting of the Tourism, Development & Culture Committee a report on Fees and Charges for Sport & Leisure, Venues and Libraries was considered. That report included proposals to increase the beach hut licence fee and beach hut transfer fee which were approved.
- 1.2 However, subsequently it was identified that the terms and conditions of the beach hut licence did not enable such an increase of the transfer fee (called the administration charge in the existing terms) to be implemented under the current licence terms. This report seeks approval from the committee for revised terms and conditions for the beach hut licence which will enable the increased transfer fee to be implemented. In addition, the existing terms and conditions of the beach hut licence would benefit from modernising to give greater clarity.

### **2. RECOMMENDATIONS:**

- 2.1 That the committee approves the implementation of updated beach hut licences as attached in appendix 1.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 There are 459 wooden beach huts on Hove seafront that are privately owned by Brighton & Hove residents. There is often confusion between beach huts and beach chalets and an overview is provided in appendix 2 to explain the differences.
- 3.2 At Committee in January the increase in fees & charges for beach huts were approved with the licence fee increasing from £367.20 (incl VAT) to £404.00. Furthermore, the recommended increase in beach hut transfer fee from £82.00 to 3 times the licence fee or 10% of the sale price (whichever is greater) was also approved. This was in line with a range of comparator local authorities.

- 3.3 Originally the transfer fee had been introduced to cover the cost of the administration of a beach hut sale. There is no mechanism in the current beach hut licence for increasing the administration charge payable on transfer. The administration charge (transfer fee) cannot therefore be increased under the terms of the current licence.
- 3.4 The only option available to the council to implement the transfer fee is to terminate the licences and let new licences on different terms to the licensees. This would require the consent of the beach hut owners. The new licences would contain new terms including the new transfer fee.
- 3.5 The current licence says that it may be terminated by the council by at least one month's notice in writing. In the event of termination of the licence, the council can require the licensee to remove the hut and clear the site at their own expense. If they fail to do so, the council is entitled to carry out the removal and clearance (again, it is at the licensee's expense). The council can then dispose of the hut if they don't collect it or pay the expenses.
- 3.6 The only option to implement the increased transfer fee is write to the beach hut owners asking them to sign and return the licence with new terms attached. There would need to be a warning that if they fail to do so, the council will terminate the licence. Ultimately the council would have to be prepared to terminate the licences if beach hut owners refused to accept the new terms.
- 3.7 The existing beach hut licence terms and conditions need modernising in order to provide better clarity across a range of areas. For example, the existing terms and conditions could be clearer with regards to not allowing the sub-letting of beach huts for commercial gain. Therefore, the opportunity is being taken to review the terms and conditions to make such changes, as well as enable an increase in the transfer fee to be introduced. There would also be the chance to make other improvements such as to seek to correspond with as many beach hut owners as possible by email.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The rationale for the proposed revision of the term and conditions for beach hut licences is provided in the body of the report.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 A letter has been issued to the beach hut owners advising that an increase in the licence fee would not take place in the 18/19 financial year. In addition the letter also advised that the transfer fee would not be increasing on 1st April 2018, but the council would be contacting owners again about the implementation of the increase in the transfer fee.



## 6. CONCLUSION

- 6.1 The beach hut licence needs updating to ensure terms and conditions have greater clarity and to enable an increased transfer fee to be introduced as approved by Committee.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The 2018/19 budgets were set based on the Fees and Charges report approved at committee in January 2018. Any subsequent changes will be reflected in the Targeted Budget Monitoring (TBM) forecasts and then included in future year budgets. Service pressures arising from changes in fees and charges will need to be funded from other budgets.

*Finance Officer Consulted: Gemma Jackson*

*Date: 14/05/18*

### Legal Implications:

- 7.2 As pointed out in the body of the report, the transfer fee agreed by Committee in January cannot be implemented under the terms of current beach hut licences .In order for the transfer fee to apply to current licensees, licensees would need to agree to new terms. The terms of the current licence allow the council to terminate licences on at least one month's notice and so this power is available to the council should a licensee not agree to the new terms.
- 7.3 The Executive Director Environment, Economy & Culture has delegated authority under delegation 6. (2) (d) to grant and terminate site licences for beach huts but this does not preclude the matter being placed before Committee for consideration ( Part 6.1 paragraph 14. of the Constitution).

*Lawyer Consulted: Hilary Woodward*

*Date: 15/5/18*

### Equalities Implications:

- 7.2 Beach huts are available to purchase by residents via local estate agents and can be viewed as a luxury item. The council provides `beach chalets for an annual rent which are more affordable.

### Sustainability Implications:

- 7.3 In order to assist with the long-term sustainability of services, it is necessary to set charges at an appropriate level.

### Any Other Significant Implications:

- 7.4 None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Revised beach hut licence (to follow)
2. Overview of beach huts and beach chalets

### **Documents in Members' Rooms**

1. None

### **Background Documents**

1. Report to Tourism, Development & Culture Committee on 11 January 2018 on Fees and Charges for Sport & Leisure, Venues and Libraries 2018/19.

## Appendix 2 - Overview of Beach Huts and Beach Chalets

There is often confusion in relation to the beach huts and chalets please see photos and explanations below to help clarify.

### Beach Huts



(Photo – Beach Huts in Hove)

Beach huts are wooden structures and are privately owned by individuals. There are 459 beach huts along the promenade in Hove. They do not have running water or electricity provided. You must be a resident of Brighton & Hove to own a beach hut and pay an annual ground rent/licence fee to keep the hut on council land.

### Beach Chalets



(Photo Beach Chalets in Saltdean)

There are 105 Chalets on the seafront from Hove to Saltdean in 5 locations. These are brick built structures which are owned and maintained by the council. Some have water and electricity while some have access to a communal tap. The annual rent payable to the council varies depending on the location and the amenities provided. New tenancies are available for a maximum of 5 years only. There is a waiting list for each block of chalets in Hove, Madeira Drive, Ovingdean, Rottingdean and Saltdean. You must be a resident of Brighton & Hove to rent a chalet.



<b>Subject:</b>	<b>Snow Wonder Winter Attraction 2018</b>		
<b>Date of Meeting:</b>	<b>21 June 2018</b>		
<b>Report of:</b>	<b>Executive Director Environment, Economy &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Ian Shurrock</b>	<b>Tel: 01273 292084</b>
		<b>Ian Taylor</b>	<b>01273 292711</b>
	<b>Email:</b>	<a href="mailto:ianshurrock@brighton-hove.gov.uk">ianshurrock@brighton-hove.gov.uk</a>	
		<a href="mailto:iantaylor@brighton-hove.gov.uk">iantaylor@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>St Peter's and North Laine</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 A proposal has been received to launch a new winter themed attraction entitled "Snow Wonder" which would be open to the public throughout December 2018 and located on The Level. This report is requesting the Committee to grant landlord's consent and authorise officers to enter into a formal agreement with the event organiser including ground reinstatement requirements.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee grants landlord's consent for the Snow Wonder Winter Attraction 2018.
- 2.2 That the Committee authorises officers to enter into a formal agreement with the event organiser to determine conditions, fees and levels of support as appropriate.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Snow Wonder attraction has been proposed by the producers of Hyde Park's Winter Wonderland's Magical Ice Kingdom and Ice Bar. The proposal is attached in appendix 1 with details of the experience of the production team and the range of attractions which include:

- Ice/Snow Bar
- Tubing Slide
- Mini Air Bag Jump
- Grotto and Snowman Making
- Snowball Targets, Snowball Tennis & Igloo making
- Snowball Tennis
- Arctic Lodge Bar and Food Area
- Christmas Dining Experiences

- 3.2 The scale of the attraction is such that while the proposed operating time is from 1<sup>st</sup> December 2018 until 1<sup>st</sup> January 2019, a two week set up and a two week breakdown period will also be required.
- 3.3 The experience of the production team working in Hyde Park will be required to ensure that the impact of the event on ground conditions will be kept to a minimum. Clearly holding the event over the winter period will inevitably lead to some impact on the ground conditions, however, a significant reinstatement deposit will be required from the event organiser to ensure the appropriate repair of any damage.
- 3.4 This the first time that an event of this scale has been proposed over the Christmas period. The events programme has been developed in order to increase the benefit of events outside the peak summer season and this attraction would be a significant addition. An event of this scale has the potential to draw visitors to the city over the winter period as well as being enjoyed by residents. A commercial fee will be negotiated for the event.
- 3.5 The organiser has indicated that local staff, food and drink suppliers will be utilised for the attraction. As a consequence the organiser has estimated that between 70-100 jobs would be created throughout the event period.
- 3.6 The opportunity will be taken in conjunction with the Royal Pavilion & Museums to explore joint promotional initiatives to the mutual benefit of the various winter attractions in the city. During the same time period the Royal Pavilion Christmas including ice rink will also be available, and an enhanced winter offer has the potential to draw more residents and visitors to the city centre.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Consideration has been given to a range of options for the location of this event. However, other potential locations such as on the Seafront are not considered suitable due to the potential strong wind conditions for such structures, whereas in other parks playing pitches are in use over the winter period.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Consultation will take place with Ward Councillors, Sussex Police, East Sussex Fire & Rescue Service, South East Coast Ambulance Service, NHS Trust, Environmental Health & Licensing, City Parks, Civil Contingencies and Highways. Detailed consultation would also follow as the event is developed between the respective event organiser and our partner agencies.

#### **6. CONCLUSION**

- 6.1 Landlord's consent is required for the staging of all major outdoor events on council land in Brighton and Hove.
- 6.2 Events continue to form an increasingly significant part of the council's overall tourism strategy. As well as bringing substantial economic benefits to the city, people experience civic pride when major recreational, sporting and

entertainment events take place in their locality. These help to bring regional and national recognition to the city as well as bringing significant economic benefits.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 In accordance with the existing Outdoor Events policy, fees are charged for commercial events and any costs incurred are the responsibility of the organiser. In addition, a reinstatement deposit is held and evidence of adequate insurance cover is required. The fees charged are determined by negotiation based on a number of factors including capacity, whether a new or established event, whether an admission fee is to be charged and infrastructure required; all of these are subject to agreement by officers under delegated authority as per the recommendations of this report.
- 7.2 The income generated from fees charged for commercial events in parks and open spaces contributes to the costs of the Outdoor Events Team within the Culture, Tourism & Sport division and supports existing budgets within the service for charitable and community events and free public entertainments across the city.

*Finance Officer Consulted: Gemma Jackson*

*Date: 22/05/18*

### Legal Implications:

- 7.3 The council's Outdoor Events Policy should be adhered to in relation to the attraction.
- 7.4 All appropriate consents will need to be obtained, including a Premises Licence under the Licensing Act 2003. It is, however, unlikely that planning permission will be required in view of the attraction's transient nature.

*Lawyer Consulted: Hilary Woodward*

*Date: 24/5/18*

### Equalities Implications:

- 7.5 The Events Programme caters for people from all sectors of the community as there are a diverse range of events that are staged in the city each year. Issues such as physical access to an event and designated viewing areas are developed and detailed in event plans where applicable.

### Sustainability Implications:

- 7.6 All events are planned and staged in accordance with the statutory powers and planning obligations as set out in the Outdoor Events Policy.
- 7.7 The nature of outdoor events means that they often involve a range of potential sustainability impacts (both positive and negative) from travel, energy and water use, food, local economic and social impacts, use of outdoor spaces and production of waste. Through the Sustainable Events Programme, event

organisers are supported to improve sustainability at their events, focusing on the areas with the highest potential impact

- 7.8 The Sustainable Events Programme also meets the requirements of the British Standard for Sustainable Events that was developed for the London 2012 Games and helped them deliver a highly visible sustainability programme, particularly around event waste recycling and encouraging people to use public transport. The standard was superseded by the International Standard ISO 20121 and the council's programme is being amended to meet the requirements of the new standard and help the council continually improve its engagement with event organisers to improve sustainability.

Any Other Significant Implications:

- 7.9 The City Safety Advisory Group has an overview of all the events that take place in Brighton and Hove that have the potential to attract significantly large numbers of people. A protocol and good working partnerships between the council and emergency services are in place in the city and close agency working will be integral to both the planning and delivery of these events.
- 7.10 Sussex Police are involved in the consultation and planning of all major events.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Event proposal

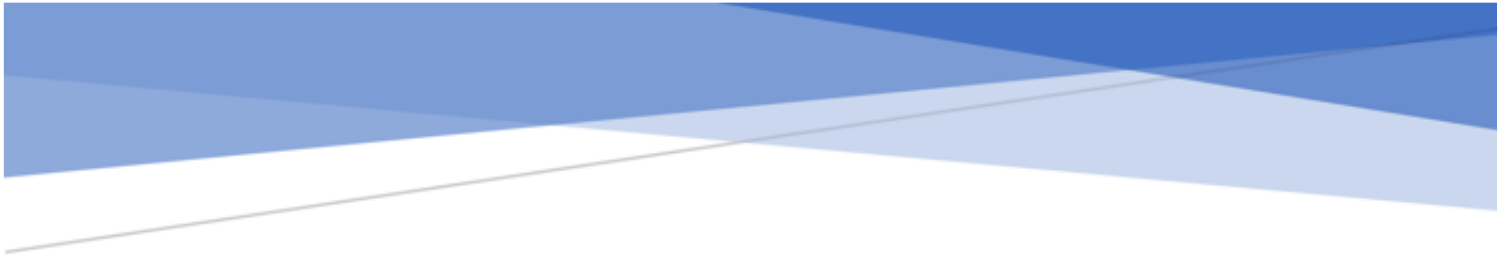
### **Documents in Members' Rooms**

1. None

### **Background Documents**

1. None





# SNOW WONDER WINTER ATTRACTION 2018 PRESENTATION TO BRIGHTON AND HOVE COUNCIL

May 2018

**Subject**

Event Overview for Snow Wonder to take place in Brighton in December 2018

Russell Crouch  
Russell@snow-wonder.co.uk

## Contents

Snow Wonder Overview

Operating Schedule and Site Fees

Brighton & Hove Market, Event Capacities, Tickets and Job Creation

Duty of Care for the Environment

Snow Wonder Partners and Suppliers

Snow Wonder Preferred Locations

Draft Site Plan

Marquee Structures Under Consideration

Attractions Overview

- Snow / Ice Bar
- Tubing Slide
- Mini Air Bag Jump
- Santa's Snow Grotto
- Kids Snow Play
- Snow Ball Tennis
- Christmas Dining
- Summary

## Snow Wonder Overview

Snow Wonder is a pioneering new winter themed attraction that would like to launch in Brighton and Hove throughout December 2018.

It has been conceived by the producers of Hyde Park's Winter Wonderland's Magical Ice Kingdom and Ice Bar who include Russell Crouch, project leader, Area 51 production and set design and Polar Europe, the global leader in real snow production, for snow sport and snow play events around the world.

Snow Wonder would like to take place on either the Level which holds Oktoberfest and is home to Brighton and Hove's largest playground and skate park, or Hove Lawn 1 on Hove Street where Zippo's Circus takes place.

Snow Wonder will appeal to a wide demographic within the city of Brighton and Hove and beyond. The attractions will be inclusive and suitable for all ages from a young child visiting Santa or building his / her first snow man or igloo, to a real snow slide or Mini Air Bag Jump for everyone, along with an Ice Bar and hospitality area for adults.

We will also be offering local businesses a venue in which to host their Christmas celebrations and provide winter themed activities for their participation in the lead up to the Christmas holiday period.

Snow Wonder hopes to develop in Brighton over the next 5 years and become a benchmark winter event and a destination attraction that appeals to audiences from as far as Chichester, Crawley and Eastbourne.

We will be using local staff, food and drink suppliers and will be creating between 70-100 jobs throughout the event period. Ultimately, we will be adding another event into the city's cultural event portfolio.

We are still developing the site plan and activities and talking with our trusted suppliers who will provide the most sustainable and environmentally friendly solutions for the event. This will ensure minimum impact on the local community during the build and break and the safe operation for the public throughout the event period.

Snow Wonder is positioned as a premium attraction, but affordable for all and will require between 1000 and 1300 SQM of space with back of house and production areas. It will be designed inside either a Dome, a Big Top or Alu-Hall marquee with an attractive front fascia at the entrance.

The draft site plan on page 13 will provide a visual of the proposed site layout and be developed to scale as we confirm each activity. When completed, it will include all fire exits and queuing areas with all security and staffing positions.

Our event safety team will then integrate the plan into the Event Safety Management document that will be submitted to the 'Responsible Authorities', after permission has been granted by the Council to hold the event.

Only after the council have given approval and we have achieved a premises licence will we start the ticketing and marketing campaign.

**Attractions include the following**

- An Ice / Snow Bar
- Snow Slide & Mini Air Bag Jump
- Snowball Tennis
- Children’s Snow Grotto
- Children’s Snowman and Igloo building
- Christmas Dining Experiences

**Phase 1 Marketing - July**

The website will launch in July and the first round of tickets will be on sale for the Christmas Dining Market.

**Phase 2 Marketing - August**

Actioned mid – end of August with a PR stunt to launch the consumer ticketing campaign, followed by a full social media and a national PR communications plan.

**Phase 3 Marketing - September - October**

Ongoing social media marketing, local listings, radio and press advertising.

**Operational Schedule and Fees**

Snow Wonder intends to open to the public from Thursday November until Tuesday 1<sup>st</sup> January, excluding Christmas day which will be closed. The times that specific activities are open throughout the event period are listed below including press night and staff training days plus event build and break dates. We will be submitting a Premises License application for the event when Landlord consent is granted.

**Operation Schedule**

Construction Phase	Date	Time
Site Handover:	Weds 14 <sup>th</sup> Nov	09:00hrs
Event Build:	Wednesday 14th November - Weds 28th November	08:00hrs - 20:00
Event Opening Period:	Thursday 29th Nov 2018 - Tuesday 1st January 2019	10:00hrs - 23:00hrs
Event Breakdown:	Tuesday 2nd January - Monday 14th January	08:00hrs - 20:00
Build Period:	Thurs 15 <sup>th</sup> - Weds 28th Nov	
<b>Pre Opening</b>		
Staff Operational Training Day:	Weds 28th Nov	09:00hrs - 15:00hrs
Press Preview Evening:	Thurs 29 <sup>th</sup> Nov	17:00hrs until 23:00hrs
Friends and Family Test Run	Fri 30th Nov	18:00hrs - 23:00hrs
<b>Open</b>		
First Full Day:	Sat 1st Dec	10:00hrs - 23:00hrs
Christmas Dining:	Mon 3 <sup>rd</sup> Dec - Tues 18th Dec	
Grotto	Sat 1st - 24th Dec	10:hrs 18:00hrs
Ice / Snow Bar:	Sun - Weds	Midday until 23:00hrs
	Thur, Fri, Sat	Midday until Midnight
Christmas Day	<b>CLOSED</b>	
New Years Eve	Sunday 31st Dec	10:00hrs - 01:00 (1st Jan)
Snow Wonder Closed	Tues 2nd January 2019	

## Brighton & Hove Market, Event Capacities and Jobs Creation

By researching the population demographics in Brighton and Hove through examining Population data in the 2011 Census and the Brighton and Hove’s Summary of Statistics 2014, we are suggesting that our target market across all ages is 98k out of a total population of 273k residents. This equates to 36% of the total population as illustrated in the tables below.

**Table 1**

Population of Brighton and Hove by Age									
	0-9 years	10-19 years	20-29 years	30-39 years	40-49 years	50-59 years	60-69 years	70+ Years	
Brighton & Hove Population %	100%	10%	12%	19%	16%	15%	10%	8%	10%
Brighton & Hove Population Per 000's *	273,369.00	28,306	31,451	51,127	43,748	42,348	27,983	22,249	26,157
50% of Population Attend Events (PAE) **	50%	14,153	15,726	25,564	21,874	21,174	13,992	11,125	13,079

\* Brighton Population Data [https://www.brighton-hove.gov.uk/files/brighton-hove.gov.uk/files/2-1620120Census%202011%20City%20Data\\_9.pdf](https://www.brighton-hove.gov.uk/files/brighton-hove.gov.uk/files/2-1620120Census%202011%20City%20Data_9.pdf)  
\*\*Brighton & Hove City Snapshot – Summary of Statistics 2014 <https://www.bhconnected.org.uk/sites/bhconnected/files/City%20Snapshot%20Report%20of%20Statistics%202014%202.pdf>

Table 1 illustrates the total population broken down by age along with an assumption that 50% of residents surveyed in the annual 2014 City Tracker said that they attended a creative, artistic, theatrical or musical event throughout a 12-month period in 2014.

**Table 2**

Snow Wonder Target Market Per Attraction								
	0-9 years	10-19 years	20-29 years	30-39 years	40-49 years	50-59 years	60-69 years	70+ Years
Grotto Snowman and Igloo Making	14,153							
Child Slide	14,153	13,978				1,399		
Adult Slides		1,747	25,564	21,874	10,587	4,664	1,236	1,308
Ice / Snow Bar		3,495	25,564	21,874	10,587	4,664	1,236	1,308
Christmas Dining								
<b>Total Target Market in Brighton and Hove</b>								<b>98,605</b>

Table 2 illustrates the breakdown of our estimated target market per age group for each attraction. We have used these numbers to calculate the capacity of the venue and amount of tickets for each day.

**Table 3**

Pre Bookable Tickets Per Attraction	PAX P/H	PAX P/D
Adult Slide	80	800
Child Slide	40	400
Grotto / Snowman Making	50	400
Snowman & Igloo Making	50	400
Christmas Dining Capacity per 1 Hour Session	80	400
Ice / Snow bar	120	1,200
<b>Target Pre Bookable Tickets</b>	<b>420</b>	<b>3,720</b>

Table 3 illustrates the number of tickets that will be on sale per hour and per day for each attraction.

### Local Staffing – Creating jobs for the local economy

Snow Wonder will be creating between 70-100 jobs for event staff build crew and local companies as well as local security firms.

We will also be providing opportunities for catering and suppliers and local drinks companies to sell their products along with contracting local PR, marketing and social media agencies between July and December.

**Table 4 – Adult & Child Slide Capacity and Daily Pre-bookable Tickets**

Available Market and Capacity For Pre Bookable Slide Sessions Tickets								
Tubing Slide / Min Air Bag Jump	Session Time Mins	Slide Ride (30 secs)	Rides Per Minute (Capacity)	No of Rides Per Session	Pre Bookable Tickets Per Hour with 3 Rides on Slide Per Person	Pre Bookable Tickets Per Day	Total Pre Bookable Tickets Target (32 days)	Available Market
Adult - Lane 1	60	30	2	120	40	440	14,080	33,490
Adult - Lane 2	60	30	2	120	40	440	14,080	33,490
Child - Lane 3	60	30	2	120	40	320	10,240	28,131
<b>Adult Slide Pre Bookable</b>					<b>120</b>	<b>880</b>	<b>28,160</b>	<b>66,980</b>

Table 4 illustrates the number of people we believe we can comfortably provide rides on the slide. Each Ticket will be purchased for hourly sessions and each person will be entitled to 3 rides on the slides per session. During the off-peak Sessions and when we are not at capacity, our customers will be given further rides, if we have the capacity to do so.

Each ride has been calculated at 30 seconds per ride, but in reality, it is less. This will provide us the capacity to sell tickets on the door for people who decide to come into the attraction’s bar area each day and who have not booked tickets in advance.

**Table 5 – Grotto, Snowman and Igloo Making Capacity and Daily Pre-bookable Tickets**

Available Market and Capacity For Pre Bookable Grotto and Snowman Building							
	Session Periods	Session Times	Child Capacity Per Session	Child Tickets Per Hour	Child Tickets Per Day	Total Pre Bookable Tickets Target (32 Day) Event Period	Available Market
Snowman Building / Igloo	10:00hrs - 18:00hrs	30 mins	25	50	400	12,800	14,066
Grotto	10:00hrs - 18:00hrs	30 mins	25	50	400	9,600	14,066
<b>Grotto &amp; Snowman Pre Bookable Tickets</b>				<b>100</b>	<b>800</b>	<b>22,400</b>	<b>28,131</b>

Table 5 illustrates the number of child tickets that we will be offering for sale for the Christmas Grotto, Snowman and Igloo building attraction. The tickets will be pre-booked to enable us to minimise the queue and once we have sold this number of tickets, we will essentially be at capacity and SOLD OUT. There may be room for a few extra tickets to be sold on the door for the Grotto, but we want to provide the most comfortable experience and will not over crowd the area.

**Table 6 - Christmas Dining Pre-Bookable Tickets for businesses and Groups of 10 persons**

Comfortable Serving Capacity and Session Timings for Christmas Dining Pre Bookable Tickets							
Christmas Dining	Session Times	Guests Per Table	No of Tables	Pre Bookable Tickets Per Session	Pre Bookable Tickets Per Day	Total Pre Bookable Tickets Target (12 days)	Available Market
Christmas Dining for Corporate Bookings	11:00hrs - 13:00hrs	10	8	80	80	960	13,484
	13:30hrs - 15:30hrs	10	8	80	80	960	13,484
	16:00hrs - 18:00hrs	10	8	80	80	960	13,484
3rd Dec - 18th Dec (excluding Weekends)	18:30hrs - 20:30hrs	10	8	80	80	960	13,484
	21:00hrs - 23:00hrs	10	8	80	80	960	13,484
<b>Christmas Dining Pre Bookable Tickets</b>				<b>80</b>	<b>400</b>	<b>4,800</b>	<b>67,419</b>

Table 6 illustrates the number of tickets we will be selling to businesses from 3<sup>rd</sup> Dec until 18<sup>th</sup> December (excluding the weekend of 8<sup>th</sup> / 9<sup>th</sup> and 15<sup>th</sup> / 16<sup>th</sup> Dec). This is a comfortable number to work with and is a guide for the moment. We will be confirming numbers and timings over the coming months and are likely to reduce the sessions per day to 4 from 5 to allow a longer evening sessions with enhanced entertainment.

**Table 7 – Ice / Snow Bar**

Ice / Snow Bar Capacities and Sessions for Pre Bookable Tickets							
	Hours Open	Session Times	Sessions Per Day	Capacity Per Session	PAX P/Day	Total Pre Bookable Tickets Target (32 Day) Event Period	Available Market
ADULTS ONLY	12:00hrs - Midnight	30 Mins	On the Hour	11	60	660	21,120
	12:00hrs - Midnight	30 Mins	Half Past the Hour	11	60	660	21,120
<b>Snow / Ice Bar Total Pre Bookable Tickets</b>				<b>120</b>	<b>1,320</b>	<b>42,240</b>	<b>68,727</b>

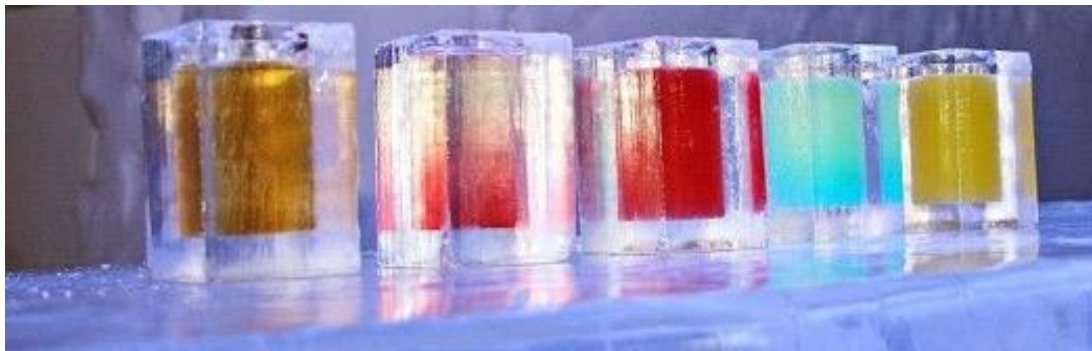
Table 7 illustrates the number of tickets we will be selling for the Ice / Snow Bar in 30-minute intervals each hour.

## Duty of Care for the Environment

When planning events, we always look at methods that will ensure we are not harming the environment more than is necessary. The materials used to build the sets inside and outside will include Scaffolding, Truss and Steel Deck subframes that we have used on previous events and that we reuse and upcycle on events throughout the year. Using these materials helps minimise the amount of wood we need for carpentry which often gets wet and damaged and becomes difficult to re-use. We will also be looking to reuse our decorative dressing and minimise the use of non-recyclable waste.

### Ice Glasses - Minimising Disposable Cup Waste an Alternative

In our Ice / Snow Bar customers will be drinking from glasses made from real Ice which are suitable for one serving. The ice glasses are collected at the end of each session and will be disposed of in a thermostatic controlled melt pit which melts the glasses sustainably.



### Disposable Cups

Our disposable cups, plates and cutlery will be made from either corn and wheat starch or similar biodegradable materials that will ensure we minimise our plastic footprint. We will also be providing either bio degradable straws made from similar materials or reusable alternatives including those made from either Bamboo which can be washed and reused after each event.



<http://www.magpie.coop>

We will also be working with magpie co-operative who look after all aspects of recycling and waste management in Brighton and who supply recycling bins for events which are collected daily using

their electric powered converted milk floats. Any external food concessions onsite, will also have to comply with our policies so we minimise the impact on the environment.



### Russell Crouch – Founder & Director of Operations

Russell has been working in the event industry since 1997, initially managing PR and communications for festivals and music brands including the V-Festivals. Since moving into event production in 2008, he has produced numerous events in the UK and abroad, including; live music events, the launch of the Abu Dhabi Grand Prix and Event Directing all operations for the global Extreme Sailing Series in the UK, Europe, Portugal, Asia and South America.

More recently, he has been producing all IMG owned attractions at Europe’s largest winter festival at Hyde Park’s Winter Wonderland, where he developed his passion for snow and ice attractions producing and event managing the Magical Ice Kingdom, the Ice Rink, Ice Bar and Fire Pit.

Last year he devised the Snow Wonder concept after working with snow and ice suppliers from Europe, who were already making snow to replenish ski slopes in the alps, as well as creating snow experiences in hot climates such as Mexico. While working with Polar and Area 51, he saw an opportunity to create temporary real snow experiences in the UK within beautiful immersive environments, due to the demand for winter events and the success of outdoor ice rinks over the last 5 years.

### Suzy Griffiths – Senior Director, Arts & Entertainment. IMG Events Ltd said

Russell was contracted as the Attractions Manager at IMG to design, produce, install and event manage all IMG owned attractions and bars at Hyde Park’s Winter Wonderland (HPWW) from 2016 until 2018.

The attractions included an Ice Bar, a Magical Ice Kingdom and Ice Rink as well as a cosy Fire Pit Bar and Entertainment area. He was also responsible for planning and implementing a complex site wide Noise Management Plan that played a significant part in upholding the conditions and objectives of the Winter Wonderland licence and planning conditions.

He was a well-liked member of the team and developed good relationships with other colleagues and members of the senior management team, Winter Wonderland clients and suppliers. He is very capable and put in 100% into the role and achieved some great results while working with IMG. We wish him well with the project this year and in the future.







## Snow and Ramp Production Team

For more than 20 years Polar Europe (<https://polareurope.com>) have been the leading snow maker for event all over the world. They have the technology and expertise to create real snow for professional freestyle snowboarding and ski ramps, to more moderate sized tubing slides for the mainstream public to try in city centres across Europe.

They have produced snow parks in temperatures above 30 degrees and they have enabled children to interact with and play with snow for the first time. We feel privileged to have them on board as our snow and tubing slide producers at Snow Wonder this year.

### Michiel Ruiter and Sijtze Binksmas at Polar Europe said:

We have been working with Russell at Winter Wonderland for a few years, where we provided up to 200 tonnes of snow for the sculptures inside the Magical Ice Kingdom. When Russell presented his idea for Snow Wonder last year, we saw an opportunity to showcase our snow making ramps and snow play in a way that hasn't been seen in the UK before.

Alongside Area 51's production expertise of creating magical environments for corporate hospitality and festivals, we see it as the perfect partnership to integrate thrilling slide experiences with beautiful production for adults and children alike. We are looking forward to developing the project together this year and beyond.





## Set Design & Production Partner

Area 51 [www.area51.co](http://www.area51.co) is a leading production company specialising in creating immersive environments and is the production partner for Snow Wonder. Since its inception in 1999, Area 51 has produced large scale spectacles up and down the country both in and out doors, for corporate, private, charity and local council clients.

Their designs are created and produced in their own workshops with a team of highly dedicated and skilled staff. They have the capability of producing truly jaw dropping stage sets and audience experiences with production materials that are reusable and remoulded to suit any event, which ensures there is minimal waste produced after the event is broken down.



The Ice Cave example above is great example of how they will complement the real snow sets we will be building inside and create a comfortable and entertaining dining experience throughout the Christmas period. Russell worked with Richard at Area 51 on another previous project and when he joined Winter Wonderland, he wanted to completely transform the length of a standard Alu Hall marquee and theme it in line with the decor and seating area outside - Essentially make a marquee not to look like a marquee!

Area 51 was contracted to design a bespoke frame to surround the marquee with special cladding and transform the frontage into an alpine style ski lodge and external ice structure fascia. The cladding was required to stand up to the natural elements and take the wear and tear over the 6-week period and thus full structural calculations were produced and signed off. Snow Wonder will be producing a similar fascia design in order to represent the wow factor for the experience inside and out.





### Catering, Staffing and Bar Partner

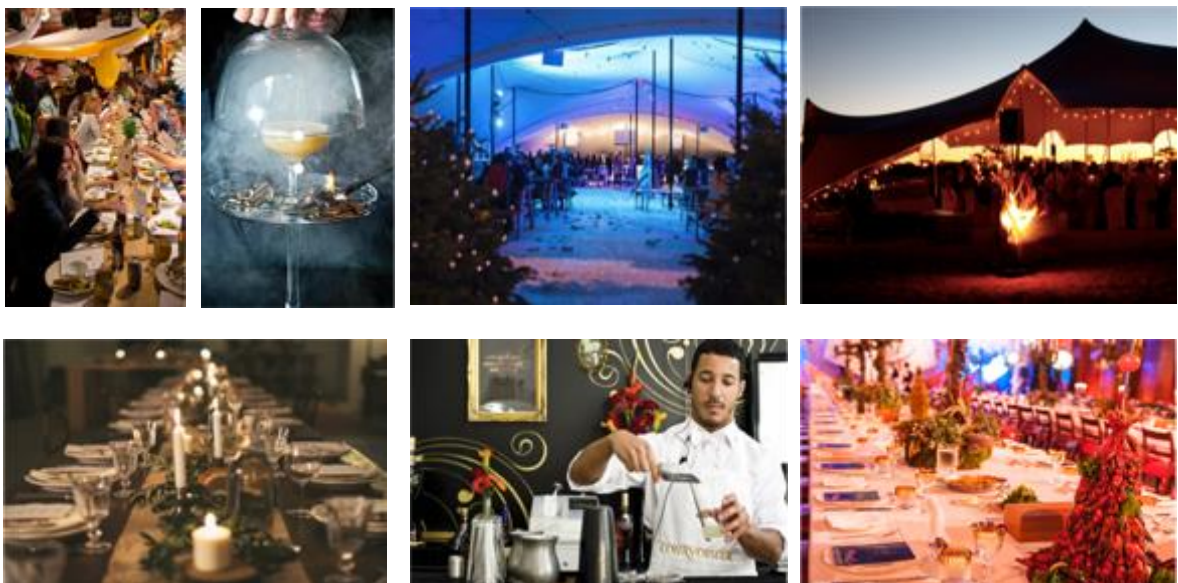
Hel's Angels is a Brand Engagement and Live Events agency founded in 1996, with offices in both Brighton and London. They have been providing well trained event staff and services for Brands and Agencies for over 20 years and have worked with Snow Wonder founder Russell Crouch on events and consumer brand experiences including Uni Qlo, Kickers and Rizla. Their drinks brands include the following.



Their staffing expertise includes Bar managers and licence holders, bar staff, cocktail bar tenders, chefs, event hosts and immersive character staff and they have a strict recruitment process as well as an excellent training program including' RSA, food safety and Challenge 25. They are also fully **General Data Protection Regulation (GDPR)** compliant.

### Helen Hanson – Founder of Hels Angels ([www.helsagelsfoodanddrink.com](http://www.helsagelsfoodanddrink.com)) Said:

Demand for winter events has been increasing year on year in the UK for brands to engage with consumers and consumers to participate in new experiences. When Russell told me about Snow Wonder and asked Hels Angels to become the catering, staffing and bar partner, we jumped at the chance, especially given that this idea is unique to the UK but already tested in other parts of the world. Brighton is the perfect location for Snow Wonder to launch especially given that there are limited venues for Christmas celebrations in the area. With Area 51's production expertise and Polar Europe's technical ability to create natural snow in a safe and engaging environment, we are looking forward to bringing the idea to life in the UK's most creative city.





## Security and Stewarding Supplier

Select Security & Stewarding Ltd benefits from the experience of crowd management; training, supplying and managing staff for venues and events across the UK and internationally for over 20 years.

Their specialist areas are provision of audience management services, and security/ stewarding at large-scale events. This includes location-based security and stewarding services, licensed door supervisors and front of house staff. Managing a portfolio of over 500 events per year including such esteemed groups as the Brighton Festival & Fringe, English Heritage, MAMA Group, AEG live, Loudsound, Cancer Research UK, Cycle Rides Ltd and Artichoke.

Select works closely with many local Councils including Brighton & Hove City Council and their experience in the city is why Snow Wonder have appointed them as the preferred security and stewarding supplier.

### **Snow Wonder- Event Outline:**

Initial meetings have taken place between The Event Organiser (Russell Crouch) and Phil Bourton (Select Security) and Select are very pleased to be involved in such an exciting project.

General areas of discussions to date include capacities, Security/Stewarding levels, noise, site layout and structures. Provision of staff for the event will be on a deployment-based approach, relating to operational requirement and risk assessment.

Select will use recognised methodologies for levels of staff, working to a base level of SIA on site with uplifts as events dictate. This is standard practice locally.

Initial details including location, infrastructure, build times, capacities, and audience profile will assist to determine staff levels. Once levels are determined, the planning process will include monitoring such areas as ticket sales and media. Key monitoring will take place from the ticket sales launch. Final Operations Plans will be supplied by all partners and suppliers and included in the Event Safety Management Plan that The Event Safety Advisors will submit to the 'Responsible Authorities'.

Document version number	V1.0
Document date	26/04/2018
Author	Anne Marie Chebib
Signed	

Safety is at the core of Snow Wonder's operation and all members of the team produce events to an expected level of safety especially during the build and break.

We will work with our safety team at the design stage of everything we do to ensure that we are proactive in recognising potential problems. Snow Wonder have appointed The Event Safety Advisors Ltd ([www.eventsafety.org.uk](http://www.eventsafety.org.uk)), to work within Snow Wonder's team as their safety advisors for all event documentation, assistance with the Premises Licence application and the collation of other event suppliers Risk Assessments, Method Statements and certification including, adherence to CDM2015 and food hygiene.

The Event Safety Advisors Ltd team will work with all of the companies that Snow Wonder contract to ensure that all the relevant checks are undertaken.

**The Event Safety Advisors** Ltd have worked with the Snow Wonder Team on previous events including Hyde Park Winter Wonderland, the launch of a large retailer on Council land around the UK. As a company they have a broad experience base from sports-based activities including Sport/Comic Relief Challenges, music events such as SW4 (35,000 per day), venue-based events such as Somerset House, Film4/Gigs and Ice Rink or brand experiences for brands including Coca Cola.

**The Event Safety Advisors Ltd** will provide the following support for the Snow Wonder Team:

- Preparation of Construction Phase Plan, including site rules, risk assessment and inductions.
- Onsite compliance checks with contractors and site team.
- Critical live event documents for stakeholder review such as Event Safety Management Plan, Ingress/Egress Plans, Emergency Procedures, Fire Risk Assessment, Noise Management Plan, First Aid Plan and Security Plan.
- Safety Advisory Group attendance with Snow Wonder Team
- Collation of contractor paperwork including risk assessments, insurance, competency certificates and method statements specific to their tasks

**Wesley Pierce – Managing Director, The Event Safety Advisors Ltd**

I have worked with Russell at Snow Wonder and Helen at Hells Angels on a number of projects where my team were responsible for all site safety.

We are thrilled to have been appointed by Snow Wonder as the independent safety advisors for Snow Wonder, Brighton in December 2018.

We will appoint a suitably qualified team to ensure that all the challenges with the project are addressed thoroughly and appropriate control measures are implemented by the team, creating a culture of safety whilst ensuring the public have a fun and enthralling time.

## Snow Wonder Preferred Location

### The Level

The Level is our choice of venue as we believe our attraction has synergy with the skate park and kids play area there.

It is very central with good accessibility and footfall in the local area due its proximity to London Road and The Laines. It is the most appropriate location to launch in 2018



### Draft Site Plan

The image below outlines a draft layout for the attractions inside the structure. It is currently drawn inside in a 45m x 25m space which will be our maximum footprint (plus Back of House).

The Structure illustrated (right) will enable us to provide a sheltered area for guests and food stalls outside.

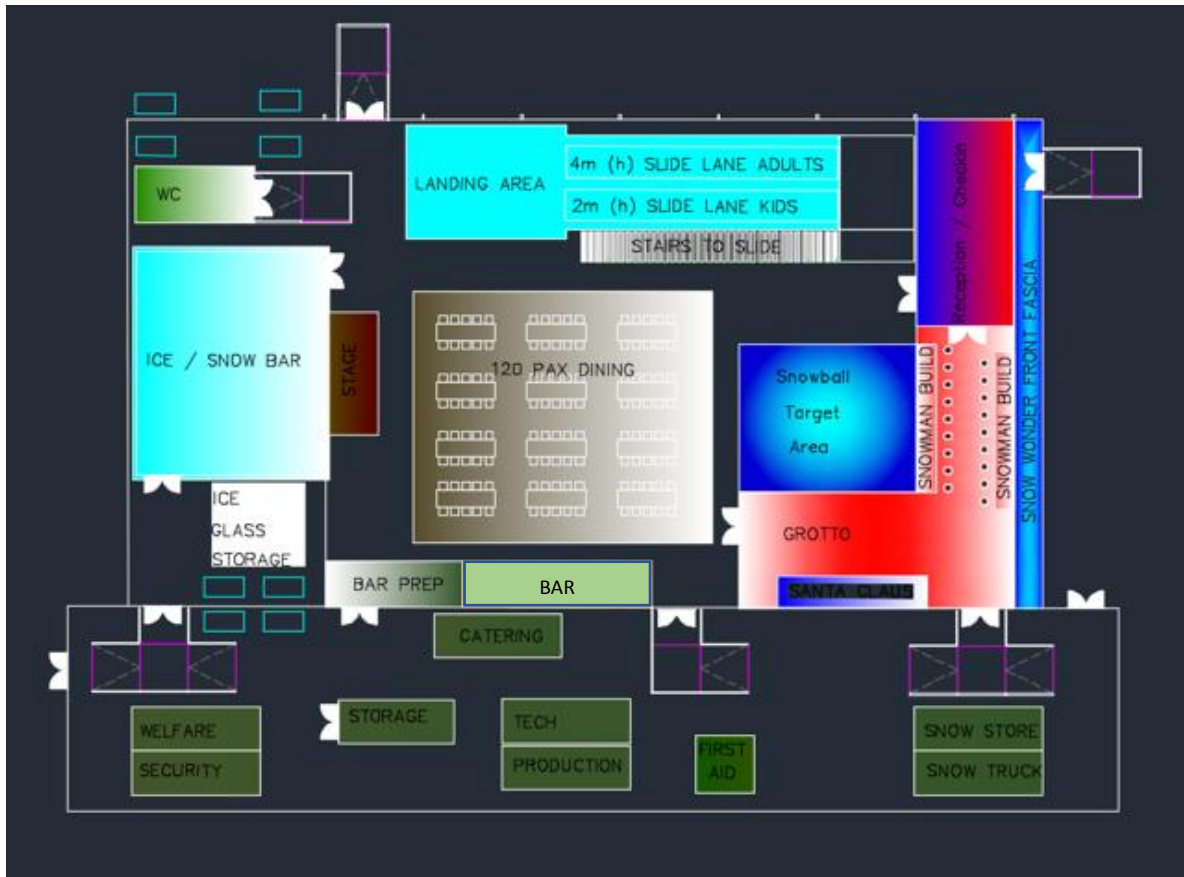
As well as create a more festival feel to the event, it will also enable more efficient management of the snow areas and feel like a natural environment.

We will also be able to provide our customers the facility to queue undercover.



A fully annotated site plan, with Back of House production are with fire exits and staffing positions will be completed for submission with the Event Safety Management Plan later in the year.

We will also ensure any sound equipment installed is restricted in order to adhere to any noise control measures we will be required to implement.



## Marquee Structures Under Consideration

We are in the process of confirming the type of structure for the event this year and have not yet appointed a supplier at this stage. The type of structure will be determined by the height of the slide and the look and feel we want to create for the front fascia and the internal layout.

We have worked with a number of companies on previous events including Arena, AJ Big Tops and Free domes who are leading suppliers of marquees for UK wide festivals. Geodesic Domes are becoming popular and look very impressive especially with a clear canopy, but they are complicated to house a front fascia due to curve of the structure. Once we have a confirmed site plan and layout, we will send you details of the actual structure, but in the meantime, the images below are the structures we are considering.

Matt Porter at Few's Marquees is keen to provide the structure for Snow Wonder and we are currently working with him on size, spec and layout in order to confirm by June.



[www.fewsmarquees.co.uk](http://www.fewsmarquees.co.uk)

**Widths:** 30m

**Lengths:** 35m

**Eave Height:** Up to 14m

This structure would have a mix of a transparent and blackout canopy and would not need a front fascia



<http://www.neptunas.co.uk> or  
[www.arenastructures.com](http://www.arenastructures.com)

**Widths:** 25m

**Lengths:** up to 45m

**Roof Height:** 12.5m

With this type of structure, we would be constructing a front fascia as illustrated on Page 9



<http://www.ajbigtophire.com>

**Widths:** 25m

**Lengths:** 45m

**Roof Height:** 17.5m

With this type of structure, we would be constructing a front fascia as illustrated on Page 9



## Attractions Overview

### Ice / Snow Bar

We know from studying the population demographics for Brighton and Hove that there are a significant number of adults between 24 and 60 years old.

The snow that we are making on site is expensive to make and if we were to run a slide and / or Mini Air Bag Jump alone in year 1, the ticket price would perhaps be seen as expensive.

We are therefore going to create either a snow or Ice bar for over 18's of which pre-bookable tickets will be sold throughout the pre-event marketing and ticketing campaign.

A snow bar has never been made in the UK before and is our first option due to the availability of the snow we will have on site. We are currently working with our cooling supplier ICS Energy, who provide the cooling systems for the Brighton Ice Rink on a suitable casing in which we can accommodate the construction of a snow bar and will make a decision on the route over the next 2 months. after thoughtful planning and considering.



## Tubing Slide

Adult and youth customers will be able to pre-book a ride on a 2 lane 30 m slide that will be approximately 5m high. The slide will be ridden on a stable inflatable rubber ring and at the bottom of the slide will be a landing area made from either real snow, or soft matting.

The slide will be flanked by soft padding and provide a fun experience for adults and children alike in a safe environment. will be able to take smaller children with them on the slide and smaller children under 5 will be able to ride the smaller (2m) child's slide that will be adjacent to the main adult slide.

The slide will be made from real snow, with each session lasting around 10 minutes to enable at least 3 rides down the slide for the ticket price.

During the off-peak sessions, we will allow further rides if capacity allow.



## Mini Air Bag Jump

If demand for Snow Wonder is high during the promotional period prior to opening, we will be installing a Mini Air Bag Jump which is becoming popular in city centres around the World.

Guests will launch themselves from a 2m (max) platform, travel along the snow path and launch off a small ramp and onto a big inflatable air bag.

It will provide young people and adults the thrill of flying through the air onto a landing pad. It will also enable friends and colleagues to capture great photos and video of each other and ensure they have an exceptional experience.

For this attraction customers will wear helmets which provide extra protection when vacating the Big Air Bag.

It is very safe for all ages and - Controlled, safe and loads of fun.



## Grotto and Snowman Making

We know from experience running Grottos that they often become over-crowded and families often have to queue for up to 1.5hrs before seeing Santa which can be stressful for the kids and parents.

The snowman building experience will be part of a queue management plan that gives the kids something to do while they wait which we hope will add magic to their day out and ensure the ticket price is value for money.

Parents with children who have pre-booked the Snow Grotto experience will be greeted by elves or snowman characters and taken into the snow man building area to make a snow man. They will be given a box of snow and a mould in which to make a snow man that's approximately 45cm in height by 30cm in diameter.

They will be invited to bring a few props with them to dress the snow man with their favourite jacket, hat, glasses and beard, give him / her a name and present to Santa in the Grotto for a photo.

We are considering running a snow man building competition whereby each day Santa judges the snowmen that are made. The winners of the snow man competition will be notified each day and will win free entry onto the kids slide on another day or a free smoothie or hot chocolate in the food court / café area on the same day.



### **Snowball Targets, Snowball Tennis & Igloo Making.**

Once children vacate the grotto there will be a snowball throwing area for kids to throw soft Cryogenic snow at specific targets, which could include Reindeer, Elves, or even Santa.

We are also considering installing an igloo building area during the off-peak sessions to add to the fun and especially during off peak times when numbers are lower and more manageable. As well as this, we are also considering installing a real snow fall making machine in either the queue or the snowball / igloo area.

Parents who have booked a ride on the slide as part of the Grotto experience will be able to use the slide and during peak times their children will have 3 rides per person on the 2m slide. During the off-peak sessions there will be flexibility on this and we will allow further rides should we have the capacity to do so.

### **Snow Ball Tennis**

Everyone loves a good snow ball fight and we are looking at creating a small area approximately 6m x 10m where groups of 8 (2 teams of 4) can purchase ready made snowballs to throw at each other across a net or barrier.

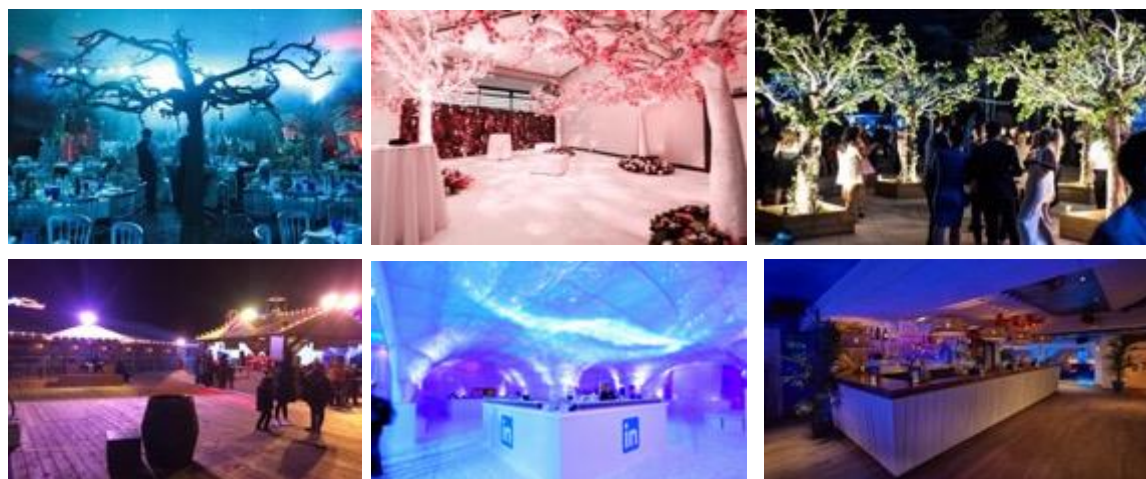
The activity will be included in the Christmas party packages and open to groups of friends who book the ice bar or slide sessions. The snow will be very soft and doesn't turn to ice when moulded but participants will be given protective glasses to prevent snow hitting their eyes and ruining their experience.



## Arctic Lodge Bar and Food Area

Our production partner Area 51 are very experienced creating beautiful hospitality areas for events including Arctic Lodge style bars and tree lined environments through their sister company Event Trees.

The bar and catering area will be designed to complement the internal style of the attraction and will enable our guests to eat and drink responsibly while having a go on the slide, or Mini Air Bag Jump, as well as warming up after experiencing the Ice / Snow Bar.



The bar / café will also provide a cosy sociable winter haven for friends and family to celebrate together. It will be accompanied by low level electro acoustic music from local acts, DJ's and entertainers to ensure the tone is set for then festive period and generates atmosphere for our guests while they take part in the activities.

Snow Wonder will have locally sourced Christmas themed street food and a bar serving mulled wine, alcoholic and non-alcoholic cocktails, hot drinks and beer, which will be ancillary to the activities that the public have come to experience.

## Christmas Dining

During the first 2 weeks of December, we will be offering local businesses the opportunity to celebrate and treat their staff to a Christmas lunch menu throughout the day for between 80n and 120 persons over a 2-3-hour period.

This will enable private guests the chance to eat and drink responsibly for a suitable period while they enjoy the activities. Our bar and catering partner Hels Angels who operate out of Brighton and London, will be providing a set Christmas menu to cater for all palettes and will be responsible for this side of the operation. **Entertainment** from local talent such as stand-up comedians and magicians to local singers, bands and DJ's will be provided to ensure local businesses have a Christmas celebration to remember.

NB: We will be operating a strict **Challenge 25** policy on site and anyone booking a ticket for the Ice Bar or looking to buy an alcoholic drink will be required to show ID when requested. We will be working with a local security company to ensure we uphold the conditions of the licence. Our SIA security team will also be monitoring guests at all times and anyone who becomes drunk and who we feel are unsuitable to take part in the activities safely, will not be allowed to use the slide

or Mini Air Bag Jump and this will be made clear in the Terms and Conditions when tickets are booked.

### **Summary Statement**

We are looking forward to the opportunity of providing the residents of Brighton and Hove with an exciting new winter attraction this year as well as with creating national interest for the event in the city.

Although the information provided in this document illustrates what we are currently planning, the scale of Snow Wonder 2018 will be dependent on the interest we generate in the coming months.

The feedback we have had from friends, colleagues, suppliers and our network has been very positive, and we know the time is right for Snow Wonder Brighton to launch this year.

I know the decision to allow us the venue will be made on 22<sup>nd</sup> June, but if we are able to have feed-back prior to this date, we can ensure we are ready to launch to the corporate market mid-July.

If you have any questions, or concerns or just want to find out more, please contact me for further information.

Regards

Russell Crouch  
Founder and Director of Operations





<b>Subject:</b>	<b>Building Control fees and charges</b>		
<b>Date of Meeting:</b>	<b>22<sup>nd</sup> June 2018</b>		
<b>Report of:</b>	<b>Executive Director Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mike Sansom</b>	<b>Tel: 01273 292188</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In November 2017 it was agreed by TDC Committee that Building Control would increase its fees by 3.5% from 1 January 2018. This has been carried out. The report also indicated that a comprehensive review of fees would be undertaken in 2018 following a benchmarking exercise with other local authority Building Control services which indicated there may be scope for further increases.
- 1.2 This report includes the results of a comprehensive exercise that is set out in the report and seeks authority to agree proposed Building Control Service fees and charges that would commence in early July 2018.

**2. RECOMMENDATIONS:**

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

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 As part of the Building Control Modernisation Programme, an initial review in November 2017 identified that there appeared to be a considerable variation between Brighton & Hove City Council and other local authorities' Building Control fees across a majority of types of application offered. As a consequence of the TDC decision to agree the fees changes, all Building Control fees and charges were increased by 3.5% from 1 January 2018 as an interim solution.
- 3.2 In the report it was indicated that a more in depth analysis of the current Building Control fees and charges needed to be completed to fully understand the costs associated with providing this service. The purpose of the review has been to make recommendations and proposals to increase fees where possible, without conflicting with the legal duty requiring local authorities' chargeable

functions/advice should as nearly as possible equate to the cost of providing the services.

3.3 The review has involved mapping the process to review all officer time and costs, including Corporate Support service costs. Benchmarking has also been completed to understand how our costs compare to neighbouring authorities' costs and charges where relevant.

3.4 The results of this exercise are presented throughout this report and set out in the appendices. The proposed fees in Appendix 1 have been rounded for ease of administration.

3.5 Each Building Control Service application type was analysed and the process reviewed:

- Process steps and times analysed for officer time
- Related staff and Support Service charges calculated
- Overall costs per product obtained

3.6 Current fees, as at 1 January 2018, were compared to the costs per application type to ascertain if the fees covered the cost of providing the service?. It was noted that the current fees do not cover the cost of providing the service in all instances.

3.7 Building Control current fees were benchmarked with other comparable local authorities for the following chargeable functions - - plan, inspection, building notice and regularisation. All of the variances were reviewed and compared to current fees as well as the cost of providing the application type. The process is detailed in Appendix 3.

3.8 The proposed fees and charges are detailed in Appendix 1 and the proposed increases represent the right balance between covering costs and remaining competitive in the market. It is therefore considered that these increases should not have an adverse impact on demand for the service however this cannot be quantified. Local Authority Building Control Services compete directly with the private sector. Information available indicates that private sector providers generally charge higher fees but are not constrained by CIPFA requirements.

3.9 The overall summary of proposed fee increases are as below:

	<b>Description</b>	<b>Proposed increase</b>
	Flats	5% Plan and Inspection
	Houses	5% Plan and Inspection
	Conversions	10% Plan and Inspection
	Extensions	10% Plan and Inspection
	Other domestic work	10% Plan and Inspection
	Small domestic works	5%
	Cost of work	From 10% lower to 3.5% higher
	Non Domestic	10%

3.10 It is also proposed to introduce new charges for specialist advice currently provided without charge. These are:

- Advice on Building Control issues prior to application:  
Work is often proposed that requires pre application advice. It is proposed to introduce a charge for this advice on the basis of officer time.
- Inspections after three years on buildings not yet inspected: It is the case that a number of projects will not complete within three years. Often during a property sale the Service will be asked to inspect projects where involvement ceased some years ago. The proposal is to introduce a charge for any additional time spent on a project where the Service has not inspected and where more than 3 years have elapsed.

3.11 It is proposed a new fee of £60 per hour is introduced to cover officer costs and overheads. The fee will include the cost of the report produced following the meeting. This is detailed in Appendix 2. Local authorities are, however, unable to charge for the first hour of officer time spent on giving advice.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

4.1 The proposed fees and charges in this report have been prepared in accordance with the Council's Fees and Charges Policy and form part of the proposed budget strategy. Consideration has been given to other factors such as cost recovery and prices charged by other Local Authorities. The alternative is not to increase fees. This has been discounted as it will have a harmful impact on the ability of the Building Control Service to recoup costs.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

The main consultation has been in the form of benchmarking other local authority Building Control services.

#### **6. CONCLUSION**

6.1 Fees and charges are considered to be an important source of income to enable services to be provided in a sustainable way. The overall aims are to ensure that fees and charges are reviewed regularly; that charges for services should cover costs; and to ensure that fees and charges keep pace with price inflation and/or other Local Authority charges whilst balancing costs and income.

6.2 On the basis of the evidence provided and a review of costs and services it is proposed that the fees and charges and specialist advice for Building Control are increased in accordance with the rates proposed in Appendices 1 and 2.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

7.1 Building Control fees were increased by 3.5% from 1 January 2018 as reported to this committee in November 2017 pending a comprehensive review of the fees and charges structure. The proposed increases will ensure that the Building Control service is able to meet expected inflationary targets and recover in full

the cost of providing the service. Increases have where possible been benchmarked against similar authorities as detailed in Appendix 3. The new fee structure is expected to be competitive with other commercial providers without detrimentally affecting demand. Where the additional income from these fees result in a contribution toward the cost of the service, including overheads and all allowable expenditure, changes to fees are estimated to result in the achievement of a balanced budget for the service. The anticipated recurring financial impact of changes to fees will be reflected within the service revenue budgets. Income received during the year will be reviewed and reported as part of the budget monitoring process and reported through the Targeted Budget Monitoring reports throughout the year.

- 7.2 Charges are being introduced for the first time to cover the cost of specialist Building Control advice previously provided at no charge. This includes charges for advice on issues prior to application, inspections after 3 years on building not completed and an hourly charge for advice and reports following building control meetings beyond the initial hour.

*Finance Officer Consulted: Rob Allen*

*Date: 08/06/18*

7.3 Legal Implications:

The Building (Local Authority Charges) Regulations 2010 authorise local authorities, in connection with building control, to fix and recover charges for the performance of “chargeable functions” and “chargeable advice” as defined in the Regulations. Such charges must be in accordance with a charging scheme. In determining the amount of the charges to be made within the charging scheme the authority must have regard to the “overriding objective” set out in Regulation 6(3) , namely “...the authority must ensure that, taking one financial year with another, the income derived by the authority from performing chargeable functions and providing chargeable advice ...as nearly as possible equates to the costs incurred by the authority in performing chargeable functions and providing chargeable advice...” As noted in the report, no charge may be made for the first hour spent by an officer in giving advice (Regulation 5(2)).

*Lawyer Consulted: Hilary Woodward*

*Date: 25/5/18*

Equalities Implications:

- 7.5 Equalities issues have been a key consideration of the review of fees and charges and appropriate measures introduced. It is still the case that any work solely for the benefit of providing facilities for people with disabilities will not be charged for or where they form part of other work reductions will be given.

Sustainability Implications:

- 7.6 In order to assist with the long-term sustainability and efficiency of the Planning & Building Control Service and to continue providing a quality service, it is necessary that the charges be set at an appropriate level.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Building Control fees and charges
2. Specialist advice fees and charges
3. Review Process

### **Documents in Members Rooms:**

None

### **Background Documents:**

1. Planning and Building Control Fees Report to TDC Committee – November 2017



## Appendix 1: Building Control fees and charges

Detailed below are the proposed 2018/19 fees and charges for the Building Control Service.

Service		2018/19 Current fee Gross	2018/19 Current fee Net	2018/19 Proposed mid year fee Gross	2018/19 Proposed mid year fee Net	% increase
<b><u>No of Dwelling Houses 1-10</u></b> Dwelling houses, flats and conversions: one dwelling	Plan Charge	£213.00	£177.50	£224	£186.67	5%
	Inspection Charge	£521.00	£434.17	£546	£455	5%
	Building Notice Charge	£881.00	£734.17	£881	£734.17	No change
	Regularisation Charge	£764.00	£764.00	£764	£764	No change
Dwelling houses, flats and conversions: two dwellings	Plan Charge	£289.00	£240.83	£303	£252.50	5%
	Inspection Charge	£703.00	£585.83	£738	£615	5%
	Building Notice Charge	£1,190.00	£991.67	£1190	£991.67	No change
	Regularisation Charge	£1,032.00	£1,032.00	£1032	£1032	No change
Dwelling houses, flats and conversions: three dwellings	Plan Charge	£348.00	£290.00	£365	£304.17	5%
	Inspection Charge	£847.00	£705.83	£888	£740	5%
	Building Notice Charge	£1,432.00	£1,193.33	£1432	£1193.33	No change
	Regularisation Charge	£1,243.00	£1,243.00	£1243	£1243	No change
Dwelling houses, flats and conversions: four dwellings	Plan Charge	£406.00	£338.33	£427	£355.83	5%
	Inspection Charge	£988.00	£823.33	£1037	£864.17	5%
	Building Notice Charge	£1,675.00	£1,395.83	£1675	£1395.83	No change
	Regularisation Charge	£1,453.00	£1,453.00	£1453	£1453	No change
Dwelling houses, flats and conversions: five dwellings	Plan Charge	£465.00	£387.50	£489	£407.50	5%
	Inspection Charge	£1,132.00	£943.33	£1188	£990	5%
	Building Notice Charge	£1,917.00	£1,597.50	£1917	£1597.50	No change
	Regularisation Charge	£1,663.00	£1,663.00	£1663	£1663.00	No change
Dwelling houses, flats and conversions: six dwellings	Plan Charge	£523.00	£435.83	£552	£460	5%
	Inspection Charge	£1,380.00	£1,150.00	£1446	£1205	5%
	Building Notice Charge	£2,159.00	£1,799.17	£2159	£1799.17	No change
	Regularisation Charge	£1,873.00	£1,873.00	£1873	£1873	No change
Dwelling houses, flats and conversions: seven dwellings	Plan Charge	£582.00	£485.00	£612	£510	5%
	Inspection Charge	£1,420.00	£1,183.33	£1490	£1241.67	5%
	Building Notice Charge	£2,401.00	£2,000.83	£2401	£2000.83	No change

Appendix 1: Building Control fees and charges

Service		2018/19 Current fee Gross	2018/19 Current fee Net	2018/19 Proposed mid year fee Gross	2018/19 Proposed mid year fee Net	% increase
	Regularisation Charge	£2,085.00	£2,085.00	£2085	£2085	No change
Dwelling houses, flats and conversions: eight dwellings	Plan Charge	£641.00	£534.17	£675	£562.50	5%
	Inspection Charge	£1,563.00	£1,302.50	£1640	£1366.67	5%
	Building Notice Charge	£2,644.00	£2,203.33	£2644	£2203.33	No change
	Regularisation Charge	£2,295.00	£2,295.00	£2295	£2295	No change
Dwelling houses, flats and conversions: nine dwellings	Plan Charge	£699.00	£582.50	£735	£612.50	5%
	Inspection Charge	£1,705.00	£1,420.83	£1789	£1490.83	5%
	Building Notice Charge	£2,887.00	£2,405.83	£2887	£2405.83	No change
	Regularisation Charge	£2,505.00	£2,505.00	£2505	£2505	No change
Dwelling houses, flats and conversions: 10 dwellings	Plan Charge	£758.00	£631.67	£798	£665	5%
	Inspection Charge	£1,850.00	£1,541.67	£1941	£1617.50	5%
	Building Notice Charge	£3,128.00	£2,608.67	£3130	£2608.33	No change
	Regularisation Charge	£2,715.00	£2,715.00	£2715	£2715.00	No change
<b><u>New Flats1-6</u></b> One new flat	Plan Charge	£139.00	£115.83	£146	£121.67	5%
	Inspection Charge	£338.00	£281.67	£355	£295.83	5%
	Building Notice Charge	£573.00	£477.50	£573	£477.50	No change
	Regularisation Charge	£497.00	£497.00	£497	£497	No change
Two new flats	Plan Charge	£171.00	£142.50	£181	£150.83	5%
	Inspection Charge	£418.00	£348.33	£438	£365	5%
	Building Notice Charge	£705.00	587.50	£705	£587.50	No change
	Regularisation Charge	£611.00	£611.00	£611	£611.00	No change
Three new flats	Plan Charge	£203.00	£169.17	£214	£178.33	5%
	Inspection Charge	£495.00	£412.50	£519	£432.50	5%
	Building Notice Charge	£837.00	£697.50	£837	£697.50	No change
	Regularisation Charge	£727.00	£727.00	£727	£727	No change
Four new flats	Plan Charge	£234.00	£195.00	£246	£205	5%
	Inspection Charge	£573.00	£477.50	£602	£501.67	5%
	Building Notice Charge	£969.00	£807.50	£969	£807.50	No change



Appendix 1: Building Control fees and charges

Service		2018/19 Current fee Gross	2018/19 Current fee Net	2018/19 Proposed mid year fee Gross	2018/19 Proposed mid year fee Net	% increase
	Regularisation Charge	£841.00	£841.00	£841	£841	No change
Five new flats	Plan Charge	£267.00	£222.50	£281	£234.17	5%
	Inspection Charge	£651.00	£542.50	£682	£568.33	5%
	Building Notice Charge	£1,101.00	£917.50	£1101	£917.50	No change
	Regularisation Charge	£956.00	£956.00	£956	£956	No change
Six new flats	Plan Charge	£289.00	£240.83	£303	£252.50	5%
	Inspection Charge	£703.00	£583.83	£735	£612.50	5%
	Building Notice Charge	£1,189.00	£990.83	£1189	£990.83	No change
	Regularisation Charge	£1,032.00	£1,032.00	£1032	£1032	No change
<b>Conversions</b> Forming a single dwelling-house (proposed work is less than £15000)	Plan Charge	£91.00	£75.83	£101	£84.17	10%
	Inspection Charge	£226.00	£188.33	£248	£206.67	10%
	Building Notice Charge	£380.00	£316.67	£380	£316.67	No change
	Regularisation Charge	£329.00	£329.00	£329	£329	No change
From single dwelling to 2 dwellings	Plan Charge	£139.00	£115.83	£151	£125.83	10%
	Inspection Charge	£338.00	£281.67	£374	£311.67	10%
	Building Notice Charge	£573.00	£477.50	£573	£477.50	No change
	Regularisation Charge	£497.00	£497.00	£497	£497	No change
<b>Extensions</b> Extension - floor area not exceeding 15m2	Plan Charge	£164.00	£136.67	£178	£148.33	10%
	Inspection Charge	£259.00	£215.83	£288	£240	10%
	Building Notice Charge	£549.00	£457.50	£568	£473.33	3.5%
	Regularisation Charge	£515.00	£515.00	£515	£515	No change
Extension floor area not exceeding 60m2	Plan Charge	£164.00	£136.67	£176	£146.67	7.5%
	Inspection Charge	£425.00	£354.17	£456	£380.	7.5%
	Building Notice Charge	£766.00	£638.33	£766	£638.33	No change
	Regularisation Charge	£719.00	£719.00	£744	£744	3.5%
Extension floor area not exceeding 100m2	Plan Charge	£164.00	£136.67	£176	£146.67	7.5%
	Inspection Charge	£501.00	£417.50	£538	£448.33	7.5%
	Building Notice Charge	£865.00	£720.83	£895	£745.83	3.5%
	Regularisation Charge	£810.00	£810.00	£810	£810	No change

Appendix 1: Building Control fees and charges

Service		2018/19 Current fee Gross	2018/19 Current fee Net	2018/19 Proposed mid year fee Gross	2018/19 Proposed mid year fee Net	% increase
Erection or extension of a non-exempt garage or carport up to 100m2	Plan Charge	£164.00	£136.67	£164	£136.67	No change
	Inspection Charge	£221.00	£184.17	£221	£184.17	No change
	Building Notice Charge	£455.00	£379.17	£455	£379.17	No change
	Regularisation Charge	£400.00	£400.00	£400	£400	No change
Loft conversion not exceeding 40m2	Plan Charge	£190.00	£158.33	£200	£166.67	5%
	Inspection Charge	£325.00	£270.83	£342	£285	5%
	Building Notice Charge	£671.00	£559.17	£671	£559.17	No change
	Regularisation Charge	£627.00	£627.00	£627	£627	No change
Loft conversion exceeding 40m2 but not exceeding 100m2	Plan Charge	£190.00	£158.33	£209	£174.17	10%
	Inspection Charge	£418.00	£348.33	£461	£384.17	10%
	Building Notice Charge	£787.00	£655.83	£827	£689.17	5%
	Regularisation Charge	£741.00	£741.00	£756	£756	2%
Conversion of a garage to a habitable room	Plan Charge	£190.00	£158.33	£209	£174.17	10%
	Inspection Charge	£176.00	£146.67	£194	£161.67	10%
	Building Notice Charge	£366.00	£305.00	£384	£320	5%
	Regularisation Charge	£319.00	£319.00	£319	£319	No change
<b>Fees for other work</b> Replacement of 1-5 windows or external doors	Building Notice Charge	£81.00	£67.50	£89	£74.17	10%
	Regularisation Charge	£85.00	£85.00	£85	£85	No change
Fee for any one of the following: a) replacement of 6-10 window, new roof lights or external doors; b) electrical work other than a rewire or where certification cannot be provided; c) cavity wall insulation; d) installation of WC; e) replacement of defective beam; f) new door opening	Building Notice Charge	£143.00	£119.17	£157	£130.83	10%
	Regularisation Charge	£148.00	£148.00	£148	£148	No change

Appendix 1: Building Control fees and charges

Service		2018/19 Current fee Gross	2018/19 Current fee Net	2018/19 Proposed mid year fee Gross	2018/19 Proposed mid year fee Net	% increase
Fee for any one of the following: a) renovation of thermal element; b) replacement of 11 or more windows, rooflights or external doors; c) energy saving system/appliance i.e. replacement boiler or solar panels (not covered by a competent persons scheme); d) removal of loadbearing wall to form a through room with an opening up to 3m in length e) removal of chimney breast	Building Notice Charge	£169.00	£140.83	£186	£155	10%
	Regularisation Charge	£174.00	£174.00	£174	£174	No change
Fee for any one of the following: a) Re roofing b) Replacement bay window c) Electrical re wire	Building Notice Charge	£227.00	£189.17	£238	£198.33	5%
	Regularisation Charge	£232.00	£232.00	£232	£232	No change
<b><u>Fees for other work not listed elsewhere including underpinning</u></b>						
Cost of works not exceeding: £5000	Plan Charge	£67.00	£55.83	£74	£61.67	10%
	Inspection Charge	£156.00	£130.00	£172	£143.33	10%
	Building Notice Charge	£221.00	£184.17	£244	£203.33	10%
	Regularisation Charge	£232.00	£232.00	£232	£232	No change
Cost of works over £5000 but not exceeding £15000	Plan Charge	£93.00	£77.50	£103	£85.83	10%
	Inspection Charge	£221.00	£184.17	£243	£202.50	10%
	Building Notice Charge	£375.00	£312.50	£394	£328.33	5%
	Regularisation Charge	£327.00	£327.00	£327	£327.	No change
Cost of works over: £15000 but not exceeding £25000	Plan Charge	£124.00	£103.33	£136	£113.33	10%
	Inspection Charge	£301.00	£250.83	£331	£275.83	10%
	Building Notice Charge	£507.00	£422.50	£507	£422.50	No change
	Regularisation Charge	£438.00	£438.00	£438	£438	No change

Appendix 1: Building Control fees and charges

Service		2018/19 Current fee Gross	2018/19 Current fee Net	2018/19 Proposed mid year fee Gross	2018/19 Proposed mid year fee Net	% increase
Cost of works exceeding: £25000 but not exceeding £50000	Plan Charge	£186.00	£155.00	£192	£160	3.5%
	Inspection Charge	£456.00	£380.00	£472	£393.33	3.5%
	Building Notice Charge	£771.00	£642.50	£771	£642.50	No change
	Regularisation Charge	£671.00	£671.00	£671	£671	No change
Cost of works exceeding: £50000 but not exceeding £100000	Plan Charge	£269.00	£224.17	£279	£232.50	3.5%
	Inspection Charge	£651.00	£542.50	£674	£561.67	3.5%
	Building Notice Charge	£1,103.00	£919.17	£1103	£919.17	No change
	Regularisation Charge	£955.00	£955.00	£955	£955	No change
<b><u>Non domestic Work for each separate construction</u></b>						
Extensions with a floor area not exceeding 15m2	Plan Charge	£197.00	£164.17	£216	£180	10%
	Inspection Charge	£238.00	£198.33	£263	£219.17	10%
	Regularisation Charge	£455.00	£455.00	£455	£455	No change
Extension with floor area exceeding 15m2 but not exceeding 60m2	Plan Charge	£197.00	£164.17	£216	£180	10%
	Inspection Charge	£424.00	£353.33	£467	£389.17	10%
	Regularisation Charge	£642.00	£642.00	£642	£642	No change
Extensions with a floor area exceeding 60m2 but not exceeding 100m2	Plan Charge	£197.00	£164.17	£216	£180	10%
	Inspection Charge	£543.00	£452.50	£597	£497.50	10%
	Regularisation Charge	£766.00	£766.00	£766	£766	No change
Extensions with total floor area exceeding 100m2 to 200m2	Plan Charge	£197.00	£164.17	£216	£180	10%
	Inspection Charge	£662.00	£551.67	£726	£605	10%
	Regularisation Charge	£890.00	£890.00	£890	£890	No change
<b><u>Other work</u></b>						
Cost of work not exceeding £5,000	Plan Charge	£78.00	£65.00	£86	£71.67	10%
	Inspection Charge	£171.00	£142.50	£189	£157.50	10%
	Regularisation Charge	£248.00	£248.00	£248	£248	No change
Cost of work exceeding £5,000 & not exceeding £25,000	Plan Charge	£104.00	£86.67	£115	£95.83	10%
	Inspection Charge	£248.00	£206.67	£272	£226.67	10%
	Regularisation Charge	£259.00	£259.00	£259	£259	No change

## Appendix 1: Building Control fees and charges

Service		2018/19 Current fee Gross	2018/19 Current fee Net	2018/19 Proposed mid year fee Gross	2018/19 Proposed mid year fee Net	% increase
Cost of work exceeding £25,000 & not exceeding £50,000	Plan Charge	£212.00	£176.67	£219	£182.50	3.5%
	Inspection Charge	£507.00	£422.50	£525	£437.50	3.5%
	Regularisation Charge	£745.00	£745.00	£745	£745	No change
Cost of work exceeding £50,000 and not exceeding £100,000	Plan Charge	£280.00	£233.33	£290	£241.67	3.5%
	Inspection Charge	£678.00	£565.00	£702	£585	3.5%
	Regularisation Charge	£994.00	£994.00	£994	£994	No change
Fit-out of building up to 100m2	Plan Charge	£114.00	£95.00	£126	£105	10%
	Inspection Charge	£274.00	£228.33	£300	£250	10%
	Regularisation Charge	£404.00	£404.00	£404	£404	No change



## Appendix 2: Specialist advice fees and charges

Detailed below are the proposed 2018/19 fees and charges for providing specialist advice.

Service	2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
Charges applied per hour for: <ul style="list-style-type: none"> <li>• Advice on Building Control issues prior to application</li> <li>• Inspections after 3 years on buildings not yet inspected</li> </ul>	New fee		£72	£60	N/A





This appendix details the approach undertaken to complete the comprehensive review of fees and charges. The review adopted two methods – process mapping and benchmarking,

### Approach to process mapping

The review of the Building Control Fees and Charges as at 1<sup>st</sup> January 2018 was reviewed by charge types:

- Plan Charge
- Inspection Charge
- Building Notice Charge
- Regularisation Charges

Data was gathered prior to the commencement of the review, including:

- Current list of Fees and Charges- all products from 1<sup>st</sup> January 2018
- 2017/2018 staffing budget , showing grades and number of staff
- Building Control previous calculations for Fees and Charges agreed at November 2017 Committee
- Current process maps and grids for Building Control Fees

Each fee sector was reviewed with the same approach:

- Review carried out for all existing Fees and Charges as at 1<sup>st</sup> January 2018
- Understanding of the existing processes supporting current Fees and Charges
- Revision of the existing processes if no longer applicable

A Process Grid was set up which included all fees per charge type for the data to be collated.

- Plan Charge
- Inspection Charge
- Building Notice Charge
- Regularisation Charges

The grid headings for each fee product were as below:-

Staff grade	Time of task	Staff grade Hourly Rate £	Staff Cost per task £	Support service charges- hourly rate £	Support service charges- Cost per task £	Total cost per task £
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- Each product was reviewed to ascertain the level of staff grades involved in delivering the product.
- Staff grades and hourly staff rates for productive hours were identified and noted on the grid.
- The times taken by each staff grade involved were identified and noted by product on the grid.
- Support Service charges per hour for the Building Control Service were added.
- Support charges times were calculated with corresponding times to the staff times and noted per product.
- Once the grid was populated the data was totalled to produce a total staff and support cost.
- The totals of staff and support service charges costs were added and produced a cost per product.

## Appendix 3: review process for Building Control Fees and Charges

The data from the Process Grids per fee were collated into a Summary Sheet for each fee sector. Details logged were:

- Current fee, Net and Gross as at 1<sup>st</sup> January 2018.
- Calculated costs of each fee. Net -staff time and support costs, hourly rates and time taken for each task (applying productive hours).
- Benchmarked average fee per product (if available)
- Comparison between costs and approved fees
- Comparison between current approved fees and benchmarked fees
- Brighton and Hove City Council proposed fees, Gross and Net

### Proposed fees

- The summary sheet was reviewed by the Head of Service and Service Manager.
- Each fee was evaluated and current fees compared to current approved fees, calculated cost of the fees and benchmarking averages.
- Final decisions for the proposed fees were decided by the Head of Service.

### Approach to Benchmarking

A directive for setting 2018/19 fees and charge is: *all charges and fees should be benchmarked with "nearest neighbours" (or other relevant comparator groups including the private sector where appropriate). Outlier authorities or providers (i.e. high charges) should also be examined and consideration given as to whether or not Brighton and Hove City Council could increase charges to such levels.*

Prior to commencing work on the benchmarking of all fees, the criterion for selection of local authorities to benchmark was agreed by the Head of Service and Service Manager.

Detailed below are the Authorities selected which are defined as follows:-

- Building Control Fee and Charges - compared with similar authorities
- Administration for Building Control – a cross section from different areas

SUMMARY OF BENCHMARKING AUTHORITIES					
Building Control	Bristol	Chichester	Portsmouth	Southampton	Horsham
	Wealdon-Eastbourne	Worthing/Adur	Arun	Mid Sussex	Winchester

### Determining proposed Fees

- A Benchmarking Summary was prepared for all fee sectors.
- Each Brighton and Hove City Council fee was compared where possible with other Local Authorities fees published on their websites and the Local Authorities fee recorded on the summary.
- An average fee was then calculated for the benchmarked fee and recorded against the relevant fee. This was used as part of the criteria to determine the proposed fees.
- The Head of Service and Service Manager reviewed all this information and agreed on the proposed charges which are detailed in appendices 1 and 2.

# Major Projects Bulletin

June 2018

## Royal Pavilion Estate



Proposed scheme

### Background

Heritage Centre Stage is a bold and significant initiative by the Royal Pavilion & Museums (RPM) and Brighton Dome & Festival Ltd (BDBF) to reunite the historic Royal Pavilion Estate. Phase 1 of this ambitious regeneration of the Royal Pavilion Estate (RPE) will deliver a major restoration of the nationally important Grade I listed Corn Exchange & Grade II listed Studio Theatre to enhance audience comfort & help the building operate more efficiently. This will include significant structural improvements that rationalise operations and drive increased revenue surpluses in order to deliver against BDBF's ambitious business plan. Achievement of this plan is central to our vision for the Royal Pavilion Estate and its future contribution to the cultural and economic wellbeing of Brighton & Hove. Phase 2 is now being considered and will aim to deliver significant restoration and improvement works to the Royal Pavilion and Garden.

### Key Facts

**Current stage:** Phase 1 (Corn Exchange & Studio Theatre) started on site February 2017

**Partners:** Brighton & Hove City Council, Brighton Dome & Brighton Festival, Arts Council England, Heritage Lottery Fund and Coast to Capital LEP

**Architects:** Feilden Clegg Bradley Studios

**Estimated project value:** £21.5M

### What happened in the last period?

- Installation of steelwork for balconies in Corn Exchange and Studio Theatre.
- Removal of windows for refurbishment off-site
- Repair and redecoration of external facades
- Completion of steel frame, building of new boundary wall and start of installation of roof in Gallery area.
- Completion of Conservation Plan and Management & Maintenance Plan for RP Garden

### What's going to happen in the next period?

- Replacement of Corn Exchange roof
- Significant n-going repair to Corn Exchange wooden frame
- Installation of new Air Handling Units on Dome roof
- Internal walls, ceilings and floors of new Gallery building
- Continuing repair and redecoration of external facades
- Consultation on Phase 2 Garden improvement proposals.

### Target Milestones

- Phase 1 works complete Early 2019
- Phase 2 Round 1 HLF bid submitted June 2018
- Phase 2 Round 2 HLF bid submitted September 2019
- Phase 2 works (Garden) SoS Autumn 2019
- Phase 2 works (Royal Pavilion) SoS Autumn 2020
- Project complete Autumn 2022

## Brighton Waterfront



The Brighton Centre and Churchill Square      Black Rock

### Background

We're finalising details of a legal agreement which will deliver a major new conferencing and events venue for Brighton & Hove on the Black Rock site next to the Marina and an expansion of Churchill Square shopping centre.

### Key Facts

#### Current stage:

Closure of legal and commercial negotiations

#### Partners:

Brighton & Hove City Council and Standard Life Aberdeen

#### Architects:

ACME Space, David Leonard Associates (central site)

**Estimated project value:** c£540M

#### Outputs:

- 2,000 jobs
- New venue & conference centre
- Improve & expanded destination shopping
- Improved public realm
- Housing and office space

### What happened in the last period?

- Legal and commercial discussions on the Conditional Land Acquisition Agreement (CLAA) have continued to progress.

### What's going to happen in the next period?

- An exchange of the CLAA is targeted for Summer 2018.

### Target Milestones

- CLAA agreed - Summer 2018
- Planning – 2020/21

# King Alfred Development



Proposed Scheme

Current King Alfred Leisure Centre

## Background

In 2014 the Council embarked on a procurement exercise to bring about the comprehensive redevelopment of the 1.8 hectare King Alfred site. The primary objective is to replace the outdated Leisure Centre with improved, extended, and modern sports facilities as part of a major mixed-use enabling development, the principal element of which is much needed new homes. A 'Competitive Dialogue' procurement process in 2015, resulted in appointment of the Preferred Developer in January 2016.

## Key Facts

### Current stage:

Crest Nicholson in partnership with the Starr Trust, a local charity, are the preferred developer team. Since their appointment the partners have worked to progress the legal, financial, and contractual arrangements, work on which is ongoing.

### Partners:

Brighton & Hove City Council, Crest Nicholson & the Starr Trust

### Architects:

LA Architects – Sports centre and Haworth Tompkins – Wider scheme and master plan

Estimated project value: c£250M

### Outputs:

- New sports centre of c12,000 M<sup>2</sup>
- 565 homes (20% affordable)
- Commercial/retail space
- Community and public space

### What happened in the last period?

- Progression of legal arrangements towards agreeing terms of the Development Agreement
- Detailed response to Housing Infrastructure Fund (HIF) 'Financial Clarifications' submitted to Homes England on 29<sup>th</sup> March
- Successful Homes England site visit and clarification meeting held on 5<sup>th</sup> April as part of due diligence process
- Intrusive site investigations carried out by Crest Nicholson.

### What's going to happen in the next period?

- Completion of HIF due diligence process and funding arrangements confirmed
- Finalise contractual arrangements and report to Policy, Resources & Growth Committee

### Target Milestones

- HIF due diligence process completed: June 2018
- Commence initial public consultation: late 2018
- Planning application: second half of 2019 targeted
- Start on Site: 2020
- Project complete: 2025-26

## Circus Street



The scheme designs

### Background

The former municipal fruit and veg market will become a mixed-use scheme and 'innovation quarter'. The site, approximately a hectare in area, housed the former Municipal Market building, a university building and a car park. Following the decision by the University of Brighton in 2016 to place its plans for a new academic building 'on hold' a revised land deal was agreed between U+I (the developer) the council and the university in 2017, leading to a revised development agreement involving the council and the university and the commencement of construction in summer 2017 of all elements of the development bar the university building. The university intends to develop facilities to meet its needs at a future date.

### Key Facts

**Current stage:** Construction work is underway

**Partners:** Cathedral (Brighton (U & I plc), SE Dance and Coast to Capital LEP

**Architects:** ShedKM

**Estimated project value:** c£105M

### Outputs:

- 232 jobs
- 142 homes
- 2,046 M<sup>2</sup> Commercial
- 450 Student beds
- Dance Studio
- University Facilities

### What happened in the last period?

- Continuing progress on constructing student accommodation and residential blocks, with work two months ahead of schedule. Joint ceremony held on-site in April for topping-out of student accommodation and ground-breaking for The Dance Space.

### What's going to happen in the next period?

- Commencement of the Dance Space.
- Construction to continue on-site, with most elements of development scheduled for completion in late 2019 and overall scheme (bar UoB element) to be completed March 2020

### Target Milestones

- Dance Studio works commenced May 2018
- Student accommodation complete July 2019
- Project complete March 2020

# Preston Barracks & University of Brighton



The proposed scheme

## Background

Having secured planning consent in late 2017, redevelopment of the former barracks site and adjacent University of Brighton land achieved another major milestone in February 2018, when the Development Agreement went unconditional. As a result, a long lease was granted to the developer, with freehold disposal of the barracks site to the University of Brighton. The £150 million Preston Barracks element is part of a comprehensive mixed use regeneration scheme aimed at transforming this part of Brighton.

The scheme will create a Northern gateway in to the city, and support entrepreneurial makers, inventors, engineers and product designers with the use of a diverse workspace in the form of the 'Central Research Laboratory'.

## Key Facts

**Current stage:** Planning permission granted, legal agreements completed, and construction imminent

**Partners:** University of Brighton, U+I Plc (the developers) and Coast to Capital LEP

**Architects:** Studio Egret West (Preston Barracks) & Hassell (University)

**Estimated project value (Preston Barracks):** c£150M

## Outputs:

- 369 new homes (15% affordable)
- c1,300 student beds
- Central Research Lab (4,645 M<sup>2</sup> & 854 jobs over 10 year period)
- Office and retail space
- New university academic space
- Regenerate key site

## What happened in the last period?

- Demolition completed and infrastructure works (e.g. site access roads, utilities, drainage) commenced
- Contractor selected for the construction of the Central Research Laboratory

## What's going to happen in the next period?

- Progression of detailed design and developer enters early stage building contracts
- Phase 1 construction commences

## Target Milestones

- Construction commences: mid-2018
- Central Research Laboratory building completed; end 2019
- Project complete: 2022-23



## New England House



New England House

Fusebox creative space

### Background

New England House is already one of the major hubs for Brighton's thriving Creative, Digital and IT (CDIT) businesses. The building accommodates 96 businesses that are primarily from this sector. These businesses employ approximately 1,000 people and many more are employed by the companies that form part of their supply chains.

City Deal and Growth Deal funding will enable the development of New England House into an improved and expanded facility for nurturing small creative-tech businesses and fusing together people with creative and digital skills. This work will put Brighton firmly on the map as Tech City South.

### Key Facts

**Current stage:** Negotiations for potential land deal with adjacent leaseholder and potential developer which would help secure City Deal outputs

**Partners:** Brighton & Hove City Council, Department of Communities & Local Government (Greater Brighton City Deal)

**Architects:** TBC

**Estimated project value:** c£25M

### Outputs:

- Increase office space by 7,089m<sup>2</sup>
- Repair and refurbish council asset

### What happened in the last period?

- Continuation of discussions towards land deal with adjacent leaseholder (Longley Industrial Estate) and Legal & General
- Pre-application discussions and Design Review Panels in respect of L&G's proposal.
- Member briefings by L&G in respect of their proposal and build to rent schemes.
- Commencement of design work for extending and refurbishing NEH.

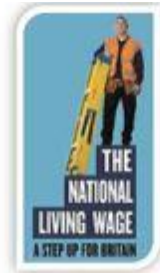
### What's going to happen in the next period?

- Policy, Resources and Growth Committee to consider agreement for lease and new lease with L&G (if all parties in agreement) either in June or July.
- Developer to submit planning application for Longley Industrial Estate.
- Council to progress design for refurbishment and extension of New England House.

### Target Milestones

- Submission of L&G's planning application – June 2018
- Submission of council's planning application for New England House January 2019

## Living Wage Housing Joint Venture



### Background

The council is developing a Joint Venture with Hyde Housing to deliver 1,000 homes (500 Living Wage rent and 500 Shared Ownership targeted at local people). The proposal is to establish an equal Joint Venture Limited Liability Partnership (LLP) between Brighton & Hove City Council and Hyde Housing Association. The partners will provide equal funding, totalling £106M, to build new homes for low working households in Brighton & Hove. This will help to further increase the supply of lower rent housing in the city across a range of sites.

### Key Facts

#### Current stage:

The project received committee and funding approval in December 2016. Head of Terms are agreed and the Legal documents and Business Plan are currently being reviewed with an aim to launch in summer 2017.

#### Partners:

Brighton & Hove City Council and Hyde Housing

**Estimated project value:** £106M

#### Outputs:

- 1,000 homes (500 at Living Wage rent & 500 for Shared Ownership)
- Share of annual surplus to the council
- Jobs, training and apprenticeships
- Wider economic and regeneration impacts
- Council Tax revenue

#### What happened in the last period?

- Development Team established
- Hyde started work on design of initial sites
- Site searches and surveys
- First Board meeting

#### What's going to happen in the next period?

- Second Board meeting
- Progress designs of initial sites
- Planning input and public consultation

#### Target Milestones

- First planning permissions – January 2019
- First start on site – June 2019
- All homes complete 2022