





Brighton & Hove
City Council

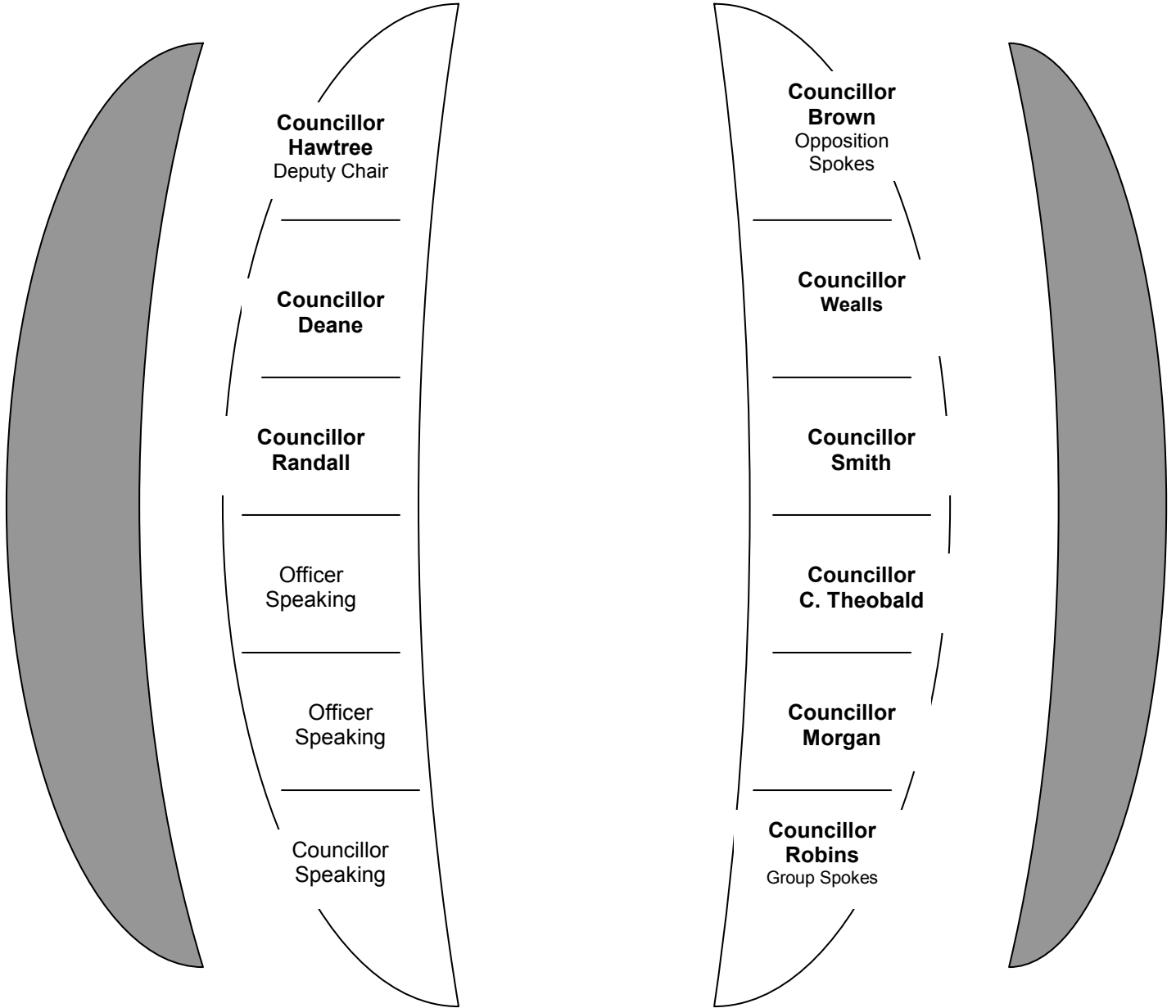
Economic Development & Culture Committee

Title:	Economic Development & Culture Committee
Date:	13 November 2014
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Bowden (Chair), Hawtree (Deputy Chair), Brown (Opposition Spokesperson), Deane, Randall, Smith, Morgan, Robins, C Theobald and Wealls
Contact:	Penny Jennings Democratic Services Officer 29-1065 penny.jennings@brighton-hove.gov.uk

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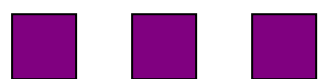
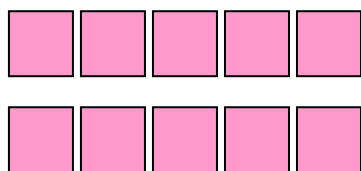
Democratic Services: Economic Development & Culture Committee

Assistant Chief Executive	Councillor Bowden Chair	Legal Officer	Democratic Services Officer
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Public Speaker	Public Speaker
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Public Seating



Press



AGENDA

PART ONE

Page

31 PROCEDURAL BUSINESS

(a) Declaration 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 not registered on the register of 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 public.*

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

32 CHAIR'S COMMUNICATIONS

33 MINUTES

1 - 18

To consider the minutes of the meeting held on [Insert Date] 2012 (copy attached).

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

40 DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT - TECHNICAL CONSULTATION ON PLANNING 53 - 114

Report of the Director of Environment, Development and Housing (copy attached)

Contact Officer: Helen Gregory Tel: 29-2293
Ward Affected: All Wards

41 STATEMENT OF COMMUNITY INVOLVEMENT 115 - 152

Report of the Executive Director of Environment, Development and Housing (copy attached)

Contact Officer: Carly Dockerill Tel: 29-2382
Ward Affected: All Wards

42 ACCESSIBLE HOUSING PLANNING ADVICE NOTE 153 - 160

Report of the Executive Director of Environment, Development and Housing (copy attached)

Contact Officer: Rob Fraser Tel: 29-2380
Ward Affected: All Wards

43 RECREATE PROGRAMME – PROGRESS UPDATE 161 - 166

Report of the Executive Director of Environment Development and Housing (copy attached)

Contact Officer: Branwen Lorigan Tel: 29-1094
Ward Affected: All Wards

44 MAJOR PROJECTS UPDATE 167 - 182

This standing item will provide an opportunity for relevant issues to be updated on (copy of schedule attached)

45 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to Council 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

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

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

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

For further details and general enquiries about this meeting contact Penny Jennings, (29-1065, email penny.jennings@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Wednesday, 5 November 2014

BRIGHTON & HOVE CITY COUNCIL

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

4.00pm 18 SEPTEMBER 2014

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Bowden (Chair)

Also in attendance: Councillor Hawtree (Deputy Chair), Deane, Morgan, K Norman, Randall, Robins, Smith, C Theobald and Wealls

Other Members present: Councillors

PART ONE

17 MINUTES

18.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 19 June 2014 as a correct record.

18 PROCEDURAL BUSINESS

17a Declaration of Substitutes

17.1 Councillor K Norman was in attendance in substitution for Councillor Brown. Councillor A Norman was in attendance in substitution for Councillor Wealls.

17b Declarations of Interest

17.2 There were none.

17c Exclusion of the Press and Public

17.3 In accordance with Section 100A of the Local Government Act ("The Act"), the Economic Development and Culture Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the

proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A(3) of the Act.

- 17.4 **RESOLVED** – That the press and public not be excluded from the meeting during consideration of any item on the agenda.

19 CHAIR'S COMMUNICATIONS

- 19.1 The Chair explained that although he would be referring to a few highlights as part of his communications a full text in respect of recent and upcoming events would be recorded in the substantive minutes of the meeting.

Brighton Digital Festival

- 19.2 The Chair explained that the Brighton Digital Festival was now in full flow and would be running throughout September with a programme at the interface of digital and arts and culture and incorporating business conferences alongside arts events and networking. The city council had co-funded the Grassroots programme with Arts Council England providing small pockets of investment to facilitate a wide range of projects including 300 Seconds – a networking event for women in tech and digital sectors; Six Stories – a digital project sharing stories of older people in the city and Block Builders which would enable young people to use Minecraft to reimagine and rebuild London Road. For more information on these and other projects www.brightondigitalfestival.co.uk

Other Arts News

- 19.3 The Phoenix Art Gallery had received an award of £150,000 from Arts Council England towards their capital development plans. Creative England were organising a production familiarisation trip to Brighton in early October as part of the Film City initiative. This would bring a group of film production companies to the city for a tour of sites and locations. From April 2013 to April 2014, a total of 217 production enquiries had been made with an estimated inward investment of £297,000 into the local economy. This had included the Channel Four production of 'The Fear' which had been filmed on location in the city for two weeks.

Events

Brighton Speed Trials

- 19.4 The National Speed Trials had been held on Madeira Drive on Saturday 6th September, the first following the fatality at the event in 2012. The Chair commended the hard work undertaken by all of the officers concerned to ensure that all of the necessary arrangements had been put in place and had been signed off by the organisers to the satisfaction of all parties in advance of the event. He was pleased to be able to report that the event had taken without any serious incident. The event was organised by Brighton & Hove Motor Club who have responsibility for the Speed Trials. Over the previous months considerable advice was given by the city's Safety Advisory Group to the Motor Club to improve the safety arrangements for the event. As with any event it was important that the organisers reviewed arrangements and looked to improve the

arrangements for any event, particularly for one involving motor sports with an inherent risk.

Friends Life Tour of Britain

- 19.5 The Chair stated that he was pleased to note that the previous Saturday an estimated crowd of 100,000 people had watched the end of Stage 7 of the Tour of Britain cycle race in the city. Particularly large crowds had gathered on the Category 1 climb up Bear Road and along the length of the sprint finish in Madeira Drive. The Sussex stage had been won by Julian Vermote of the Omega Pharma Quick-Step team who had taken a lead in the run up to Ditchling Beacon which he had been able to hold all the way to the finish. The city had received extensive positive media coverage including live television broadcasts on ITV and Eurosport with the helicopter pictures showing the city at its best. The organisers Sweet Spot had been delighted with the arrangements and support for the Tour in the city and would like to return in the near future. A report on the estimated economic impact of the Sussex Stage would be provided by Sweet Spot hopefully by the end of October.

Tourism and Venues

VB Partnership

- 19.6 The city now had 420 partners so far with more in the pipeline

On-line

- 19.7 The [www.visitbrighton.com website](http://www.visitbrighton.com) was on route to exceed 2 million unique users again in 2014. Work was taking place to re-design www.visitbrighton.com so it was more 'responsive' in nature (adjusted to fit mobile devices) and integrated 2 key channel managers into the site (Ratetiger) being able to offer accommodation partners a more streamlined way to aid availability. It was anticipated that this would generate further income in accommodation sales.
- 19.8 The main Autumn web campaign 'Beyond the City: Downs, Towns & Coast' micro site would launch in September and would capitalise on the South Downs/Biosphere and countryside offering moments from the city (book a break and use city as a base from which to explore surrounding areas of natural beauty with opps for walking/cycling/outdoor activities etc) See <http://www.visitbrighton.com/countryside/home> (work in progress at moment, but would be live by the time of the partner event). The project linked in nicely with city's recent Biosphere UNESCO status.

Conference Sales – Recent Wins

- 19.9 British HIV Association (BHIVA) - 22 – 24 April 2015 – **600 delegates**
 NUS National Conferences - years 2016 and 2017 - **850 delegates**
 European Society for Paediatric Infectious Diseases (ESPID) – 10 – 14 May 2016 – **2500 delegates**
 Society for Experimental Biology Annual Conference - July 2016 – **800 delegates**
 44th IEEE International Conference on Acoustics, Speech, and Signal Processing (ICASSP) - 12-17 May 2019 – **3000 delegates**

VIC

19.20 City Champions had welcomed and helped more than 6000 visitors since they launched at Easter and Greeters had done 144 greets this year, with more than 100 visitors. The VIP network had handled around 10000 enquiries since April.

Marketing Highlights

19.21 Press – So far this year the city had hosted over 100 press trips, beating our target for the year. Highlights had included – The Guardian, The Telegraph, Sunday Times Travel, The Express and the Independent. Internationally the city had hosted press from Germany, Japan, Ireland, Finland, France, USA, Belgium, New Zealand and India. In terms of campaigns, the city was part of Visit England's Cycling campaign which had included coverage within the Guardian and, among other things, highlighted the Tour of Britain coming to the city. We would also be taking part in the second phase of Visit England's and their Rugby World Cup campaign (Spring 2015)

Royal Pavilion and Museums**Arts Council England (ACE) Funding**

19.22 ACE had confirmed in July that the Royal Pavilion & Museums would continue as one of its Major Partner Museums for 2015-18. ACE's support was not just financial, it also provided a very public endorsement of the service's current excellence and future ambitions, and highlighted RPM's leadership role within the museum sector nationally. ACE's assessment of RPM's bid praised in particular its stewardship of collections, digital initiatives, outstanding work to achieve resilience and sustainability, leadership within the south east, and exceptional programme with young people.

Centenary of the Start of the First World War

19.23 With support provided part by the EU through the Interreg Great War project, RPM's [summer launch](#) of a wide programme of [centenary](#) activity had already attracted considerable positive visitor response. For example the seafront display, 'Dr Brighton's War: Hospitals and Healing in Brighton during WW1' had been seen by an estimated 54,000 people across six weeks in July and August. The major new exhibition at Brighton Museum & Art Gallery 'War Stories: Voices from the First World War' (12 July – 1 March 2015) had provided the centrepiece of an Open Day on Saturday 13 September which had attracted over 1,000 visitors.

The Royal Pavilion Ice Rink would return this year. It would open on Saturday 8 November and would remain open until Sunday 18 January 2015.

Libraries

19.24 The new Academy and Mile Oak Community Library was due to open on October 1. The library was located in the newly built Academy complex, this fantastic shared facility would offer more space, light, books and computers to the whole community.

Pop Up Shops

- 19.25 The Pop Up Shop scheme had now delivered its tenth Pop Up in the city as part of the wider “Recreate” project and had met its target for delivery well in advance of the end of March 2015. This week had seen the launch of a new Pop Up initiative entitled “Shop Share” where existing retailers could rent out shelf(s) space, wall space or vacant floor space within their existing premises to support the creative sector. Retailers and prospective tenants **were** already showing interest in the scheme which represented a new and innovative way for existing retailers to maximise the use of space in their existing premises.
- 19.26 Councillor K Norman echoed the Chair’s words in respect of the Brighton Speed Trials Event expressing his gratitude to all who had been involved in ensuring that arrangements were put into place to secure a safe and enjoyable event for participants and spectators alike.
- 19.27 **RESOLVED** – That the content of the Chair’s Communications be received and noted.

20 CALL OVER

- 20.1 All items on the agenda were called for discussion.

21 PUBLIC INVOLVEMENT

21a Petitions

- 21.1 One petition had been received as set out below:

Homes in Multiple Occupancy, 69 and 75 Ewhurst Road BN2 4AL

Referred from the meeting of Council held on 17 July 2014.

“We have grave concerns regarding the ever increasing multiply occupied homes on this street.

Some residents have been in contact on a regular basis with Brighton and Hove employees over the past 12 months plus, to try and limit the number of HMO’s in this street. We believe we have 40/50% of the total properties multiply occupied, which is destroying the community. Indeed, you were sent a Planning Enforcement Complaint Form re 69 in the spring of last year and a Planning Contravention Notice was served last autumn, but no action appears to have been taken.

We had been hopeful that the article 4 direction would protect us, but that seems not to be the case. Whilst we are pleased that the licensing requirements should improve properties for tenants, we are surprised that the licensing does not limit the number of such properties when they are above the recommended percentage. It seems illogical to grant a licence to a new HMO when no planning permission has been granted or possibly even applied for.

69 was a two bed home previously occupied by one man and his dog. That property was extensively renovated and converted to a six bed property. One or two students moved in with

some of their possessions in August but no one lived at 69 until September 2013. That property was not habitable in April/May 2013 and was advertised as being available to rent in July (but was still not finished then). It appears the property has been granted a licence but should not be given planning permission.

75 was a dilapidated, basic 3 bed property rented and occupied by an older man. Following his death, the landlord/letting agent refurbished the property and it was initially let in September 2012 to two brothers for 6 months. It was then let to a family from May 2013 for 6 months and is now occupied by 3 students who took up residence in January 2014. We believe that this property has neither a licence or planning permission and should not be granted either

We feel very let down by the Council and it appears that, either

- a) The new article 4 direction is useless, or
- b) the local authority is not applying it and
- c) the local authority is not taking action against those landlords who are flouting the direction.

Excessive noise and rubbish on street are now commonplace. Recycle boxes are the worst offenders. They are left on the pavement continuously and the boxes, or sometimes just the recycling, are blown down the street. Residents have noted that the open re-cycle boxes are often used for general rubbish by passers by, which means City Clean will not empty them. Residents have, with a representative from City Clean knocked on doors to advise tenants that boxes should not be left on pavements but improvements have been short lived. If we didn't have the huge number of HMO's this would be less of a problem. Wheely bins are frequently over full with additional black bags left along side. This is heaven for seagulls and foxes.

There are still a number of young families and older residents living here. We all want our street to be part of a community, which would include a limited number of students. We do not want to feel dominated and overwhelmed by the number of students in the street. Therefore we ask the local authority to implement the article 4 direction in our street and return some properties to family use.”

- 21.2 It was noted that this petition had been referred to this Committee because the petitioner had specifically referred to Planning enforcement issues and Article 4 directions, which fell within the remit of the Economic Development and Culture Committee rather than the Housing Committee.
- 21.3 The Chair, Councillor Bowden responded that as the points raised were very detailed and would require officer investigation, he was asking officers to provide a full and detailed response to the petitioners and for that to be copied to members of the committee.
- 21.4 Councillor C Theobald stated that she considered that enforcement action should be undertaken without delay and it was explained that officers were actively pursuing this matter in order to determine the most appropriate course of action.
- 21.5 **RESOLVED** – That the contents of the petition be received and noted.

21b Written Questions

- 21.6 There were none.

21c(i) Deputation - Designation of Neighbourhood Areas and Neighbourhood Forums – Hove Station and Hove Park Neighbourhoods

21.10 The following Deputation was received: We firmly believe that the section of Hove Park Ward that has not been included in the recommended area for the Hove Park Neighbourhood Forum should be re-instated. This missing section is the northern part of DA6 which includes the vital Goldstone Retail Park and the Sackville Trading Estate.

This area should be included in the Hove Park Neighbourhood Forum area because residents of Hove Park Ward live opposite these locations and would be the most affected by any development proposals for these sites and should therefore have the greatest influence. Residents in the Hove Station Forum, who primarily live south of the railway line, would be less directly affected. We do not believe that it is necessary to have the whole of DA6 incorporated into one forum.

Jeremy Mustoe
Colin Hancox
Roger Crouch
Arthur Green
Maggie Sladen
Cathy Smith

21.11 The Lead petitioner Mr Mustoe spoke for 5 minutes in support of the Deputation in accordance with the Committee protocols set out in the Council's Constitution.

21.12 The Chair confirmed that as the Deputation formed the subject of a report elsewhere on the agenda (Item 23) that it would be appropriate for discussion and debate to take place when that report was under consideration.

21.13 **RESOLVED** – That the contents of the Deputation be received and noted.

21(c)(ii) Deputation - Designation of Neighbourhood Areas and Neighbourhood Forums – Hove Station and Hove Park Neighbourhoods - Hove Station Neighbourhood Forum

21.14 The Chair stated that at his discretion he had agreed to permit Professor Gibson to speak on behalf of those representing the proposed Hove Station Neighbourhood Forum. Professor Gibson stated that his group held an opposite view from that expressed by the Hove Park Neighbourhood Forum. He stated that the Hove Station Neighbourhood Forum considered that they would also be affected by proposals in the area referred to by the Hove Park group and did not agree that a split along Ward boundaries was necessarily appropriate as this was in any event an artificial construct. He explained that the Hove Station group had repeatedly sought to discuss common issues with the Hove Park Group but that these invitations had not been taken up. He also considered it unfortunate that in his view the representation and views expressed by the Hove Station Group had been misrepresented in some quarters, which was regrettable. Whilst his forum preferred a single area approach, they were happy to compromise with a shared boundary along the Old Shoreham Road.

21.15 The Chair re-iterated the points that he had made to the previous speaker, referring to the fact that the views expressed by all parties were noted and would be considered by the Committee when they considered the report set out at Item 23 on that afternoon's agenda.

21.16 **RESOLVED** - That the contents of the petition be received and noted.

22 MEMBER INVOLVEMENT

22a Petitions

Designation of Neighbourhood Areas and Neighbourhood Forums – Hove Station and Hove Park Neighbourhoods

22.1 The following petition collected by Councillors Bennett and Brown was presented by Councillor Bennett on behalf of residents

“We urge the Economic Development and Culture Committee to include the part of DA6 cut off by the railway line and currently in Hove Park Ward, including the Sackville Trading Estate and the Goldstone Retail Park, in the Hove Park Neighbourhood Forum Area. Residents living directly opposite and closest to these sites would be most affected by any development.”

22.2 The Chair indicated that points set out in the petition were noted and would be considered in concert with the report appearing at Item 23 on the agenda for that meeting. He requested that the content of the petition be noted and received.

22.3 **RESOLVED** – That the content of the petition be noted and received.

22b Written Questions

Designation of Neighbourhood Areas and Neighbourhood Forums – Hove Station and Hove Park Neighbourhoods

22.4 Prior notification of the following question had been received from Councillor Bennett and had been circulated to Members separately in advance of the meeting.

Councillor Bennett was invited to put her question:

“In the Hove Park Area where a close knit recognised community exists residents are aware and understand the implications of a Neighbourhood Forum and that is why they are so engaged with the process. Evidenced by two different petitions and the flood of individual responses to the consultation.

A Planning Policy Officer stated that it would be easier if DA6 was in one forum area but agreed that it didn't have to be. Is this proposed as the easiest option for officers and are Members aware that residents in the Hove Station Neighbourhood Area are largely ignorant of the Hove Station Neighbourhood Form, their representatives, their plans and the powers it will be given.”

- 22.5 Councillor Bennett referred to the fact that a number of representations had been made by employees of the Custom Pharmaceutical Company and as to the weight which these had been given.
- 22.6 The Chair, Councillor Bowden stated that as this matter formed the subject of a separate report at Item 23 on the agenda. The report reflected the officer view regarding DA6 and Officers would address the level of consultation undertaken by the Hove Station Neighbourhood Forum in their introduction.
- 22.7 **RESOLVED** – That the questions put by Councillor Bennett be received and noted.

22c Letters

Talking Statues in Brighton & Hove

- 22.7 A letter had been received from Councillor A Norman as set out on the agenda.
- Councillor Norman was invited to speak in support of her letter.
- 22.8 The Chair, Councillor Bowden explained that he understood that the Arts and Cultural Projects Manager had already provided Councillor Norman with some background information in respect of this matter. Good ideas for supporting the city's tourism offer were welcomed and he understood that this project were being trialled both in London and Manchester and we would be in touch with the organisers for feedback through our own staff at the Royal Pavilion and Museums.
- 22.9 The Chair went on to explain that the city was actually developing a similar project to the Talking Statues at Royal Pavilion and Museums called Story Drop – it would be an app which would enable individuals to uncover the heritage of the city on various trails and tours and this would include statues in the city. Members could access this by following the following the link set out below. There were also a number of projects and developments in the Digital Festival that would be watched with interest and support could be offered in marketing terms through Visit Brighton. There were insufficient resources to set off a completely new separate project on the statues in the city, but it was hoped that Story Drop would continue to grow and develop in popularity, note would be taken of the results of the project that Cllr Norman had highlighted and the city would continue to work with digital partners to make innovative things happen in the city
- <http://www.brighton-hove-rpml.org.uk/HistoryAndCollections/Pages/Story-Drop.aspx>
- 22.10 **RESOLVED** – That the contents of the letter be received from Councillor A Norman be received and noted.

23 DESIGNATION OF A NEIGHBOURHOOD AREA AND NEIGHBOURHOOD FORUM - HOVE STATION NEIGHBOURHOODS

- 23.1 Before proceeding to formal consideration of the report Councillor Brown spoke in her capacity as one of the Ward Councillors for Hove Park Ward setting out her concerns regarding the recommendations set out in the report. Councillor Brown explained that both Ward Councillors and a number of residents (a petition had been prepared

containing 797 signatures) were of the view that the Hove Park Forum Area should encompass the whole of the Hove Park Ward and should include as requested the Sackville Trading Estate and Goldstone Retail Park.

- 23.2 Officers were recommending that these areas should be included in the Hove Station Forum Area. Hove Park Ward councillors and residents were however of the view that any development on these sites would affect residents of their ward, especially those living close by, more than residents in the Hove Station Forum area which was mainly south of the railway line.
- 23.3 The Committee considered a report of the Executive Director of Environment, Development and Housing the purpose of which was to determine four neighbouring planning applications, two of which related to the designation of neighbourhood areas Hove Station Neighbourhood Area and Hove Park Neighbourhood Area. The other two applications were linked to the area applications and related to the designation of the neighbourhood forums for Hove Station and Hove Park. These designations were part of the neighbourhood planning provisions introduced by the Localism Act 2011. Once designated they would enable the forums to prepare a neighbourhood development plan for their respective areas.
- 23.4 The Head of Planning Strategy explained that four valid applications had been received. The areas proposed were each valid in their own right except in so far as they overlapped. Officers had tried to encourage the two area groups to reach a compromise which was acceptable to both, however, agreement had not been reached and officers had therefore put forward their recommendations, the rationale for which was set out in the report. Officers views in respect of DA 6 were set out based on their assessment which had been made on planning grounds and met all of the technical requirements of the legislation. In response to the issues raised by representatives of both groups officers had sought to detail the significant amount of correspondence received in a neutral manner without attaching undue weight to it.
- 23.5 The Chair, Councillor Bowden commended the work undertaken by officers in bringing the report forward stating that he hoped that agreement could be reached.
- 23.6 Councillor Robins sought confirmation as to whether it would be possible to set up areas which did not include the areas of contention and it was explained that this was not a practical option; it was not intended that there should be gaps between areas. Councillor Robins also sought clarification regarding the powers which the neighbourhood forums would have and it was explained that they would have the power to draw up neighbourhood plans which would guide development within a given area, although the City Plan itself would retain primacy in guiding strategic development. Councillor Robins stated that as he felt uncomfortable in being placed in the position of potentially voting to choose between the requests of one area and another, he sought clarification of the procedure by which any decision would be made.
- 23.7 The Legal Adviser to the Committee explained that the proposed Conservative Group amendments which had been notified in advance of the meeting needed to be put and voted on. If they were agreed they would then become the substantive recommendations. If the amendments were lost the recommendations set out in the officer report would then be voted on.

23.8 Councillor K Norman then put the Conservative Group amendments which are set out below. He explained that he considered that they represented a reasoned way forward for the reasons indicated by the two Ward Councillors. Councillor C Theobald concurred with all that had been said by Councillor Norman and the Ward Councillors and was happy to support the amendments: These were as follows:

Proposed Conservative Group Amendment:

2. RECOMMENDATIONS:

2.1 That the committee refuse the application from Hove Station Neighbourhoods Forum for the Neighbourhood Area set out in Appendix 1 for the reasons set out in this report and précised in the draft decision notice set out in Appendix 13 and approve the designation of the Hove Station Neighbourhood Area as a neighbourhood area within the meaning of the Town and Country Planning Act 1990 the extent of which Area is delineated on the map forming appendix 11 to this report, **with the exception of the areas which fall within the Hove Park Ward boundary including Sackville Trading Estate and the Goldstone Retail Park.**

2.2 That the committee authorises the Head of Planning & Public Protection* to designate the Hove Station Neighbourhood Forum as a neighbourhood forum within the meaning of the Town and Country Planning Act 1990 subject to the Head of Planning & Public Protection*:

- a) being satisfied that the neighbourhood forum meets the statutory criteria set out in paragraph 3.5 hereof; and
- b) seeking agreement as to how the Hove Station Neighbourhood Forum will engage with people, groups and forums in adjacent areas and take their views into account in the drafting of any neighbourhood development plan.

2.3 That the committee ~~refuse~~ **approve** the application from Hove Park Neighbourhood Forum for the Neighbourhood Area set out in Appendix 2 ~~for the reasons set out in this report and précised in the draft decision notice set out in Appendix 14 and approve the designation of the Hove Park Neighbourhood Area as a neighbourhood area within the meaning of the Town and Country Planning Act 1990 the extent of which Area is delineated on the map forming appendix 12 to this report.~~

2.4 That the committee authorises the Head of Planning & Public Protection* to designate the Hove Park Neighbourhood Forum as a neighbourhood forum within the meaning of the Town and Country Planning Act 1990 subject to the Head of Planning & Public Protection*:

- a) being satisfied that the neighbourhood forum meets the statutory criteria set out in paragraph 3.5 hereof; and
- b) seeking agreement as to how the Hove Park Neighbourhood Forum will engage with people, groups and forums in adjacent areas and take their views into account in the drafting of any neighbourhood development plan

Proposed by: Cllr. Ken Norman

Seconded by: Cllr. Carol Theobald

- 23.9 Councillor Robins re-iterated that he did not feel able to vote in respect of the proposed amendments for the reasons he had already stated and would therefore be abstaining. Councillor Morgan concurred stating that he considered it regrettable that the Government had framed the legislation in such manner that it could give rise to dissension between neighbourhoods in this way, each clearly had what they perceived to be the best interests of their local communities at heart.
- 23.10 Councillor Randall referred to Councillor Morgan's own Ward where local neighbourhood communities had been working together well and were not constrained within a single ward boundary.
- 23.11 A vote was taken and on a vote of 4 to 4 with 2 abstentions, the proposed amendment was lost on the Chair's casting vote.
- 23.12 In answer to questions as to whether a designated neighbourhood area could be amended at a later date, it was explained that whilst the legislation did not explicitly allow for this, it might in theory be possible at the discretion of the council. The Chair stated that the degree of dissension which appeared to have been generated in respect of these proposed neighbourhood areas was regrettable and he feared might deter other areas of the city from engaging with the process. If the recommendations contained in the report were agreed he hoped all parties would co-operate in moving the proposals forward.
- 23.13 The amendment having been lost the Committee then went on to consider and vote on the recommendations set out in the officers' report. A vote was taken and Members agreed the resolutions set out below on a vote of 6 for with four abstentions.
- 23.14 **RESOLVED – (1)** That the committee refuse the application from Hove Station Neighbourhoods Forum for the Neighbourhood Area set out in Appendix 1 for the reasons set out in this report and précised in the draft decision notice set out in Appendix 13 and approve the designation of the Hove Station Neighbourhood Area as a neighbourhood area within the meaning of the Town and Country Planning Act 1990 the extent of which Area is delineated on the map forming appendix 11 to this report.
- (2) That the committee authorises the Head of Planning & Public Protection* to designate the Hove Station Neighbourhood Forum as a neighbourhood forum within the meaning of the Town and Country Planning Act 1990 subject to the Head of Planning & Public Protection*:
- a) being satisfied that the neighbourhood forum meets the statutory criteria set out in paragraph 3.5 hereof; and
 - b) seeking agreement as to how the Hove Station Neighbourhood Forum will engage with people, groups and forums in adjacent areas and take their views into account in the drafting of any neighbourhood development plan.
- (3) That the committee refuse the application from Hove Park Neighbourhood Forum for the Neighbourhood Area set out in Appendix 2 for the reasons set out in this report and

précised in the draft decision notice set out in Appendix 14 and approve the designation of the Hove Park Neighbourhood Area as a neighbourhood area within the meaning of the Town and Country Planning Act 1990 the extent of which Area is delineated on the map forming appendix 12 to this report.

(4) That the committee authorises the Head of Planning & Public Protection* to designate the Hove Park Neighbourhood Forum as a neighbourhood forum within the meaning of the Town and Country Planning Act 1990 subject to the Head of Planning & Public Protection*:

- a) being satisfied that the neighbourhood forum meets the statutory criteria set out in paragraph 3.5 hereof; and
- b) seeking agreement as to how the Hove Park Neighbourhood Forum will engage with people, groups and forums in adjacent areas and take their views into account in the drafting of any neighbourhood development plan.

Note 1: When voting on the proposed Conservative Group Amendment Councillors Morgan and Robins abstained. Therefore On a vote of 4 to 4 with 2 abstentions the amendment was lost on the Chair's casting vote.

Note 2: When voting on the recommendations contained in the circulated report Councillors K Norman, Smith, C Theobald and Wealls abstained. Therefore the recommendations set out in the report were approved on a vote 6 for with 4 abstentions.

24 LIBRARY PLAN 2014/15 - UPDATE

- 24.1 The Committee considered a report of the Assistant Chief Executive seeking agreement to the final version of the Libraries Plan 2014-15 following public and stakeholder consultation.
- 24.2 It was noted that the Plan had received provisional approval at the meeting of the Committee held on 19 June and had been updated and amended subsequently to ensure that it included any revisions required following further community engagement and consultation. The results of this consultation process were set out in Section 5.3 of the report.
- 24.3 The Plan set out the Council's vision for the service, building on recent successes and outlining priorities and objectives for the next 18 months in the context of the service's overall plans and objectives for delivery across the city as a whole. It was considered that the Plan demonstrated how Libraries could help deliver broader corporate objectives and support the development of sustainable communities. In view of its status as a key strategic document the Library Plan required approval of full council.
- 24.4 Councillor Smith commended the report and the work carried out by this service, although he considered it was regrettable that the mobile service had been lost, enquiring regarding the take up on the alternative arrangements which had been put into

*

place. He emphasised the need to extend the level of collaboration with other partners and agencies. Councillor K Norman enquired specifically regarding the level of take up of the Home Delivery Service. The Head of Libraries and Information Services explained that these arrangements had been well received, this service was more cost effective and could reach more vulnerable people than had been the case with the mobile library service and gave better access to the range of services available to borrowers. This service was building up slowly as there were limitations dependant on the number of volunteers and where they were located within the city.

- 24.5 Councillor Morgan echoed the points made by Councillor Smith considering that it was important to publicise and encourage use of the wider range of services available. Libraries had an important role as community hubs and in providing access to services other than borrowing books. The Head of Libraries and Information Services confirmed that this was one of the stated priorities in the Plan.
- 24.6 Councillor Bowden, the Chair commended the wide range of services available stating that library provision was linked to other services whenever the opportunity arose, for example, in Woodingdean where it was linked to the health centre, in Portslade and at the new development in Circus Street, Brighton for which planning approval had been given the previous evening. The Circus Street development would include a Brighton University library to which the public would have access.
- 24.7 Councillor Wealls thanked officers for forwarding copies of the most recent CIPFA profiles to him. Whilst acknowledging the quality of professional service provided and high levels of customer/user satisfaction, he remained of the view that the costs of service provision appeared high even when set in the context of comparable authorities. He also considered it was important to encourage users to borrow books as this one of the core functions of a library.
- 24.8 Councillor Hawtree stated that notwithstanding technological advances it was clear that people still loved books and continued to use them in addition to Kindles, computers and other means of accessing available information.
- 24.9 Councillor Robins welcomed the fact that services were available to those who were housebound. There were tremendous health and wellbeing benefits as a result of human contact and access to services which prevented individuals from feeling isolated or cut off. These were important and valuable benefits which helped to reduce tension and the need to access other services.
- 24.10 Councillor Randall stated that it was a sign of the times that the nature of library use and direct book borrowing might change, notwithstanding the increased use of digital and other medias, library use remained popular across the city. It was important that Libraries remained at the heart of their communities.
- 24.11 Councillor Morgan concurred and considered it was important to spread available assets, for instance Whitehawk Library in common with other branches was shut on certain days each week. He was also concerned that in a continuing harsh financial climate that financial necessity did not compromise the services provided. The Chair, Councillor Bowden responded that the valuable contribution made by the Library service

was recognised and that cross-party discussion on how this valuable resource could best be protected would take place.

24.12 Councillor C Theobald referred to Patcham Library, located in her Ward, it was a popular and well used library which would benefit from longer opening hours, and hoped that consideration could be given to how this might be achieved.

24.13 The Head of Libraries and Information Services stated that a reduction in the number of books borrowed was part of a national trend across the country, but that this had been lower across the city than elsewhere. The Libraries Plan had a strong emphasis on reading, and a revised Reading Strategy for the city was in development, working with Children's Services. Libraries were also working with Adult Social Care and Health colleagues to support the prevention agenda. As part of a PFI scheme the apparent costs of service delivery as set out in the CIPFA figures appeared high as the PFI revenue payments also covered capital costs, whereas the comparisons with other authorities were much better if this was taken into account. Discussions were taking place with CIPFA to see how this could be meaningfully reflected in future reports.

24.14 **RESOLVED** – (1) That the Committee endorses the Libraries Plan for 2014-15; and

(2) **RESOLVED TO RECOMMEND TO COUNCIL** – That the Plan be approved.

25 SPORTS FACILITIES LEISURE CARD UPDATE

25.1 The Committee considered a report of the Assistant Chief Executive which provided an update in relation to the council's Leisure Card scheme following its introduction across six council sports facilities operated on behalf of the council by Freedom Leisure as part of the Sports Facilities Contract in April 2013.

25.2 The report set out details on take-up of the scheme and also provided an assessment of its impact upon the levels of physical activity by Leisure Card holders. The scheme had been set up based on the principle of providing a discounted price to those likely to be able to afford to pay standard prices and to encourage greater participation in sport and physical activity by traditionally low user groups for whom price had been identified as a barrier to taking part. The Leisure Card scheme had also been designed to bring a clear and consistent approach to concessionary pricing and could be applied for free of charge by any residents in receipt of certain benefits.

25.3 The Head of Sport and Leisure explained that the results of the survey undertaken to measure the success of the scheme had clearly demonstrated that the Leisure Card scheme had helped to provide better opportunities for residents on low incomes to access council sports facilities.

25.4 Councillor Wealls stated that the scheme appeared to have been revenue positive in addition to achieving greater take up of healthy activity by under-represented groups. He considered that there would be merit in seeking to identify and engage with other groups where there were "gaps" which could be addressed.

- 25.5 Councillors Smith and K Norman commented the health benefits that accrued from encouraging people to keep fit and active stating that they were aware that the Health and Wellbeing Board was looking at linking with the NHS and other partners and stressing the importance of a joined up approach in publicising such initiatives.
- 25.6 Councillor Robins supported what had been said stressing that when the ability to use the card at venues across the city was important, if facilities were easily accessible, it was more likely that concessions would be taken up.
- 25.7 Councillor Randall agreed with all that had been said and highlighted the importance of publicising what was available. For instance the “Ping” initiative which had provided the opportunity to take up table tennis at various locations across the city had been widely advertised before-hand and had been hugely popular.
- 25.8 **RESOLVED** – (1) That the Committee notes the positive benefits following the successful introduction of the citywide Leisure Card in April 2013.

26 UPDATE ON APPRENTICESHIPS

- 26.1 The Committee considered a report of the Executive Director of Environment, Development and Housing which provided an overview of progress made in creating apprenticeships for young people in the council and in supporting the take-up of apprenticeships amongst businesses in the city.
- 26.2 In answer to questions by Councillor Smith, the Recruitment, Strategy and Delivery Manager explained that payment was in line with the minimum wage and that the activities undertaken by the council to support apprenticeships was on-going.
- 26.4 In answer to questions by Councillors Hawtree and Randall it was confirmed that a successful bid had been made to support disadvantaged individuals by providing work placements with the aim of helping them to secure employment. The focus remained on young people who were disadvantaged, not in education, employment or training NEET’s and or were affected by the benefit changes. The council would continue to work with training providers and internal council services including Looked After Children, the Youth Employability Service and Benefit Teams.
- 26.5 Councillor Robins referred to the need to seek to ensure that opportunities were provided for local young people citing that there were a number of building and other schemes under way locally which were undertaken by firms from outside the city.
- 26.6 Councillor Randall stressed the role to be played by City College and others in providing vocations skills courses which provided opportunities to “grow” local skills.
- 26.7 **RESOLVED** – That the Committee note the progress made in creating apprenticeships in the council and supporting the take-up of apprenticeships amongst businesses in the city.

27 COAST TO CAPITAL GROWTH DEAL - IMPLICATIONS FOR GREATER BRIGHTON

- 27.1 The Committee considered a report of the Executive Director, of Environment, Development and Housing providing an update on the outcomes of the Coast to Capital Local Enterprise Partnership (LEP) Growth Deal which had been announced on 7 July and identified the projects that fell within the Greater Brighton City Region and which were funded by the Local Growth Fund (LGF).
- 27.2 It was noted that The LEP's Growth Deal announcement marked the culmination of the first phase of the Greater Brighton initiative which had focused upon the Greater Brighton City Deal bid and supporting the LEP with the development of their strategic economic plan and growth deal bid. This had seen a total of £83.4m funding allocated to the city region. This included:
- £31.4m funding allocated to Greater Brighton through the City Deal process
 - £52.4m funding allocated through the first round of the Coast to Capital Growth Deal process
- 27.3 Councillor Morgan referred to the West Street Junction Shelter, this scheme could be potentially generate revenue and he enquired whether/when transitional funding would be available for this project. The Head of City Regeneration explained that if a business case could be made to support any scheme it could be considered. Currently, the transport packages to be put forward were being agreed through the LEP, the process of putting these forward would commence over the coming months. Projects would require 20% match-funding but the level of funding provided would differ between projects.
- 27.4 Councillor Deane explained that when she had attended a LEP meeting in Hailsham earlier in the year, it had been apparent that the region was competing for funding with other areas of the country. A number of the projects for the area were cutting edge or were embryonic long term projects for the future.
- 27.5 Councillor Hawtree commended the Proposed flood defences for Newhaven and Shoreham respectively which represented an excellent application which would provide improvements over a wide area.
- 27.6 **RESOLVED** – That the Committee note the success in securing Local Growth Funding for projects that fall within the Greater Brighton city region.

28 THE GREATER BRIGHTON CITY DEAL: THE BRIGHTON DIGITAL EXCHANGE, NEW ENGLAND HOUSE

- 28.1 The Committee considered a report of the Executive Director of Environment, Development and Housing outlining the progress that had been made in developing the business case for the Brighton Digital Exchange which would be located in New England House and would be funded via the Super Connected Cities Programme as part of the Greater Brighton City Deal.
- 28.2 The Planning Projects Manager explained that consent was being sought to divert existing Super Connected Cities Programme (SCCP) funding in order to deliver the project, both via a grant programme to private sector partners and through the upgrading of existing wiring in New England House.

28.3 **RESOLVED** – (1) That members note the progress that has been made in developing the business case for the Brighton Digital Exchange that forms part of the economic growth initiatives agreed through the Greater Brighton City Deal;

(2) That members agree to release £620,000 of funding from the Super Connected Cities Programme to deliver the Brighton Digital Exchange; and

(3) Grant delegated authority to the Executive Director Finance and Resources and Executive Director of Environment, Development and Housing to procure and award a contract undertaking the wiring of New England House with the remainder of the funding to facilitate the Brighton Digital Exchange.

29 MAJOR PROJECTS UPDATE

29.1 The Committee considered the circulated schedule which provided an update on the current progress of major projects across the city.

29.2 In answer to questions by Councillor Smith it was explained that redevelopment of the Black Rock site (if a suitable development was put forward), would not be delayed until completion of the building works currently under way. The existing lease arrangements were subject to a break clause.

29.3 In answer to questions as to whether, the existing Brighton Centre would remain in until completion of any replacement facility it was confirmed that feasibility discussions remained on-going, and a formal project timetable had yet to be agreed.

29.4 **RESOLVED** – That the contents of the schedule be noted and received.

30 ITEMS REFERRED FOR COUNCIL

30.1 **RESOLVED** – That Item 23 – “The Library Plan2014/15” be referred to Council for approval as required under the Constitution.

The meeting concluded at 6.30pm

Signed

Chair

Dated this

day of

Subject:	Petitions		
Date of Meeting:	13 November 2014		
Report of:	Head of Legal & Democratic Services		
Contact Officer:	Name:	Penny Jennings	Tel: 29-1065
	E-mail:	penny.jennings@brighton-hove.gov.uk	
Ward Affected	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive any petitions presented at Council, any petitions submitted directly to Democratic Services or any e-Petition submitted via the council's website.

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

(i) Enforcement of Article 4 Direction

- 3.1 We call on Brighton and Hove Council to fully implement and enforce the Article 4, Direction, and complete the licensing of HMOs.

There is a high concentration of Houses in Multiple Occupation in our area. This has caused a significant deterioration of the quality of life for long term residents. We now experience more noise, rubbish on the street, lack of concern for the upkeep of properties and for the local environment. Community cohesion is seriously adversely affected.

The Council does not have sufficient staff, or interest in dealing with these issues. Action was promised but is not evident. Please support our petition to the Council to remedy this.”

(45 signatures)

(ii) Community Value of Pubs

- 3.2 “We the undersigned petition Brighton & Hove Council to - develop planning policies to better protect local public houses based on the principles of the pub protection policies developed by Lewisham Council and Cambridge City Council; - under the Sustainable Communities Act, submit a proposal to Government to "protect community pubs in England by ensuring that planning permission and community consultation are required before community pubs are allowed to be converted to betting shops, supermarkets and pay-day loan stores or other uses, or are allowed to be demolished." - help facilitate community groups to nominate pubs as Assets of Community Value; - write to the Secretary of State at the Department of Business Innovation & Skills supporting plans to introduce a Statutory Code to ensure tied publicans are treated fairly.”

Justification

- for many people community public houses are important amenities that support positive interactions between people from different backgrounds and enhance community cohesion;
- the New National Planning Policy Framework makes specific reference to the need to safeguard public houses;
- high residential property values in Brighton & Hove are endangering the future of valued public houses and that effective local planning rules allow public houses to be demolished or converted into betting shops, pay-day loan stores, supermarket metro stores and other uses without planning permission;
- the Assets of Community Value scheme introduced in the Localism Act 2011 allows local communities to secure a degree of additional protection for local community assets;
- in some cases, excessively high rents and tied product prices contribute to the failure of otherwise profitable pub.

This petition is submitted on behalf of the Brighton & South Downs branch of CAMRA. CAMRA, the Campaign for Real Ale is an independent, voluntary organisation campaigning for real ale, community pubs and consumer rights. In the present day, CAMRA has 161,672 members and has been described as the most successful consumer campaign in Europe. The Brighton & South Downs branch has 1,759 members

(45signatures)

(iii) 50m Pool 4 Hove

Referred from the meeting of Council held on 23 October 2014

- 3.3 “We the undersigned back calls from Mike Weatherley MP, Shiverers Swimming Club and the Amateur Swimming Association to replace outdated swimming facilities at the King Alfred with a new more flexible 50m pool that includes leisure and diving facilities for the benefit of all Brighton and Hove residents.

(1,154 signatures)

(iv) Concorde Lift

“I live opposite the Concorde lift and through the years I have come to notice what an important service it provides for those in wheelchairs and for families using buggies and for the elderly and small children who are not able to manage the steps. It would be wonderful to have it working all throughout the year during weekends even if at reduced hours. Winter is also a beautiful time for sea front strolls and to go down for a snack in the local cafés.”

(24 signatures at going to print – will be updated at the meeting)

Subject:	Pride 2015 - 2020		
Date of Meeting:	13 November 2014		
Report of:	Paula Murray, Assistant Chief Executive		
Contact Officer:	Name:	Richard Butcher Tuset	Tel: 01273 295514
	Email:	Richard.tuset@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The Lesbian, Gay, Bisexual and Trans (LGBT) community have staged an annual Pride event in the city for over twenty years; its history is diverse and it has grown with each successive event.

1.2 Pride ranks as one of the City's most significant events, this year attracting approximately 160,000 attendees generating an estimated £13.5 million for the city's economy.

1.3 Landlords consent was given to Pride CIC on 14th November 2013 for three years. Based on learning from this year's Pride event (including a new format trialled to improve safety for the Pride Village Party in the St James' Street area) this report sets out further proposals aimed at strengthening Pride, improving community safety and increasing its contributions to local communities and the city as a whole.

1.5 Landlord's consent is being sought to stage Pride Festival activities in Preston Park and the Pride Village Party over the first weekend in August including delivery of the Pride Parade from Madeira Drive to Preston Park. This agreement would be for five successive years starting in 2015.

1.5 Each event would be subject to conditions and guidance as detailed in the Health & Safety Executive (HSE) Purple Guide. The guidance sets out the requirements that must be met in full and signed off by the responsible lead agency and, where applicable, the City Safety Advisory Group. The Outdoor Events Policy also states that for major events of this size a comprehensive event plan is required to be produced by the approved organiser.

2. RECOMMENDATIONS:

2.1 That the Committee grant Landlord's consent for five successive years, commencing August 2015, to Brighton Pride Community Interest Company (BPCIC) to stage the Pride Parade through the city and a fenced and ticketed Pride Festival in Preston Park and Pride Village Party in the St James' Street area, with all three elements subject to the conditions as set out in 3.28 and 3.29 - 3.33 of this report.

2.2 That, subject to the standards and requirements referred to in paragraphs 3.29 to 3.33 being met and the appropriate documentation being produced, the Committee authorises the Assistant Chief Executive to implement the recommendations set out in 3.28.2, 3.28.4, 3.28.6, 3.28.9, 3.28.11, 3.28.13, 3.28.16 and 3.28.22 and to determine with BPCIC the final event formats, fees, charges and conditions as appropriate.

2.3 That the Committee agrees that landlord's consent may be withdrawn should BPCIC fail to comply with the conditions and recommendations as set out in this report,

2.4 That the Committee agrees that, following past practice, a guarantee against damage to the park will be sought and evidence of adequate insurance cover will be required.

2.5 That the Committee delegates authority to the Assistant Chief Executive to agree any further necessary permissions associated with Pride events including finalising arrangements for the proposed community fund for Preston Park and the St James' Street areas.

3. CONTEXT/ BACKGROUND INFORMATION

Pride Parade and Preston Park Festival

3.1 Pride events in Brighton & Hove have a strong history; the first 'modern' Pride taking place in 1992. Smaller, intermittent events have taken place since the 1970's, though the 1992 event is generally regarded as the beginning of Pride as we experience it today.

3.2 The 1992 event took place on the Level and attracted a crowd of several hundred; offering a mix of entertainment, consciousness raising and campaigning. Since its modest beginning the event has evolved into a festival encompassing the Arts, carnival, protest, advocacy, politics and theatre. It is now one of the biggest Pride festivals in the UK, contributing an estimated £13.5M to the city's economy.

3.3 Pride 2013 and 2014 was delivered by 'Brighton Pride Community Interest Company' (BPCIC) and has included a diverse range of activities that celebrated Lesbian, Gay, Bi and Trans (LGBT) communities and the city. In 2014 the programme included:

3.4 A city wide festival of art, film and culture: This Arts, Film and Cultural offer featured a number of events, taking place over a two week period. It aimed to highlight the rich LGBT art scene within the city and deliver a range of popular, inclusive and accessible events appealing to all members of the LGBT community.

3.5 The LGBT Community Parade: Sixty Four organisations and groups took part in the parade including LGBT & community networks, national and local charities, emergency service personnel, businesses, trade unions and political groups. The parade was watched and enjoyed by tens of thousands of residents and visitors.

3.6 A day long festival of live music, entertainment and community

support initiatives in Preston Park: Over 33,000 people attended the ticketed event which included a diverse range of entertainment including dance tents, food stalls and charity exhibitions. The return of the main stage proved very popular and helped the overall event to run smoothly.

3.7 Overall the event was one of the most successful ever held in the city, with Pride's fundraising initiatives breaking all previous records; generating a record £64,578.00 for donation to local LGBT and HIV causes. It is estimated that as many as 160,000 residents and visitors took part in Pride activities.

3.8 Landlord's consent was agreed at the Economic Development and Culture Committee in November 2013 and included using the Preston Park for events on the Friday evening and the Sunday evening. Because of timings and the focus given to delivering a safe Pride Village Party (please see below) these elements of the consent weren't realised this year. The new extended opening hours however were and the later close down seems to have helped reduce problems with queuing and crowds entering and leaving the park.

3.9 Evaluation of the Pride event by stakeholders (including the council and emergency services) produced largely very positive results with the overall quality of partnership working and organisation by BPCIC being highlighted and commended. The evaluation process with local communities and businesses is generally positive and ongoing at the time of report writing.

3.10 In terms of safety there were 13 arrests with some specific concerns around a legal high called 'Voodoo' which caused aggressive behaviour in some instances. There were also issues with groups of young people becoming intoxicated in various locations outside the main Pride entrance and in the city centre. Work will be undertaken to address these safeguarding and community safety issues, including partnership work with the police, the Safeguarding Board and the Alcohol Programme Board. Work on managing displaced activities and informal parties include active policing of the Level and the sea front, additional provision of lighting in key areas within the city centre and the fencing of the Royal Pavilion. Licensing teams worked with local businesses in advance of the event and on the day to reduce access of alcohol to young people.

3.11 Arrangements to improve access for disabled attendees were particularly successful and well received. Trans inclusion was improved but further actions have been identified through the debrief process and an action plan is being developed with the Tans Alliance.

Pride Village Party

3.12 The St James Street Party began life as a small, grassroots event and was initially supported and managed by both the LGBT and local business communities. It has never been organised by the council or, until this year, by any of the various bodies that have organised the main Pride event.

3.13 Over the years it has grown exponentially and out of proportion both to the resources available to make it safe, sustainable and tolerable and the neighbourhood it takes place in (primarily the lower end of St. James Street and adjoining side streets).

3.14 In 2013 approximately 35,000 people attended the area during the party period; swamping the area and its public houses. This volume of attendees on the footprint of St James' Street was considered unsafe. The amount of glass and debris significantly caused injuries and impeded and delayed site clearance. Petty theft, assault and homophobic abuse were problematic and difficult to manage in an excessively crowded environment.

3.15 In response to this the Economic Development and Culture Committee Report of November 2013 agreed that the council would work with BPCIC to ensure the future of the Street Party; with the explicit intention of creating a safe and welcoming event, focused on Pride and community fundraising.

3.16 Following engagement with the council, the police and local businesses, BPCIC produced a proposed Pride Village Party (PVP) format aimed at creating an event that achieved better outcomes for attendees, businesses and local residents. The key aspects of the event format included:

- Creating an enclosed and ticketed event to manage numbers. Participants were required to purchase and wear wristbands to enable access and the purchase of alcohol.
- Residents, businesses and those persons who could demonstrate a reasonable need were provided with free wristbands for identification and to enable free access and egress.
- A 'glass free' event (only plastic drinking vessels allowed) to reduce injuries and help with the clean-up.

3.17 The event format enclosed St. James Street and the lower end of Marine Parade to create a specific event space for the PVP on Saturday evening (between 18.00hrs and 01.00 hrs) and Sunday afternoon (between 14.00 to 20.00hrs). On Saturday this required Marine Parade to be closed (with traffic diverted along Edward Street) and one lane of the Old Steine at the end of St James' street to be also closed. Road closures for Sunday included the Marine Parade as above but not the Old Steine.

3.18 Ticketing arrangements were aimed to reduce the excessive number of attendees and enable better stewardship and improve safety. Robust arrangements were put in place to ensure businesses and residents (and their friends and families) were given free access passes that gave full and appropriate access to their homes and businesses.

3.19 Evaluation of PVP by the Safety Advisory Group (including the council and emergency services) with regard to the event's objectives of delivering a safer and higher quality event was largely very positive. The evaluation processes with local business and communities is ongoing at the time of report writing and any further information will be provided at the meeting.

3.20 Overall the new format delivered a safer event by reducing overcrowding, reducing antisocial behaviour and reducing glass injury. Attendees on the Saturday were approximately 35,000 and on Sunday 20-25,000. Over 10,000 wristbands were given to businesses and residents to ensure free access over the weekend period. Arrests and antisocial behaviour were down and the numbers of glass injuries were radically reduced. Much learning was taken from the event by the Safety Advisory Group,

including a review of access arrangements at the end of St James' Street and Marine Parade, a need for increased stewarding and St John's Ambulance arrangements, a review of toilet facilities and the management of 'green routes' to allow adequate emergency access by the emergency services.

3.21 Arrangements to improve access for disabled attendees needs to be reviewed and issues around Trans inclusion have been identified through the debrief process and an action plan is being developed with the Trans Alliance.

Pride 2015 and Forward (*Proposals in this section are currently subject to statutory consultation with the emergency services*)

3.22 Pride aims to be self-financing, however the authority continues to make very significant contributions of support, including:

Park Festival and Parade

- not charging a fee for the use of Preston Park (£1 per head. Total value for 2013 was £35k and this would be higher should the event be extended as set out in the report)
- use of BHCC Premises Licence (£5k)
- resident liaison support (£5k)
- not charging a fee for Madeira Drive (£8k)
- not charging for suspension of parking bays incurred by the Parade route (£2.9k)
- additional cleaning on the Parade route and post Pride clean up (£8k)
- significant officer time devoted to ensuring the safe delivery of the event.

Pride Village Party

- not charging for stewarding and traffic management (£8.3k)
- resident liaison (£5k)
- not charging for street clean-up (£17.2k)
- significant officer time devoted to ensuring the safe delivery of the event.

Going Forward: 2015 - 2020

3.23 It is anticipated this in-kind support would be available for 2015 and beyond, but this will be subject to review with the aim of the Pride making a fuller contribution to these significant support costs.

3.24.1 BPCIC has asked to stage the Parade through the city and a fenced and ticketed Pride Festival in Preston Park and PVP for 5 years from 2015.

3.24.2 BPCIC demonstrated their ability to deliver a well organised and safe event in 2013 and 2014, which made record contributions to local charities. Based on the overall quality and organisation of the 2013 and 2014 event this option is being recommended for agreement with Members.

3.24.3 As part of this agreement, BPCIC will commit to the development of a new community fund to support community projects in Preston Park and the St James Street area. The fund will form a part of any surplus made by Pride and the details of the fund have yet to be developed and agreed.

3.25 Agreement to this event would be subject to assurances around the format and safety of the event as set out in paragraphs 3.29 to 3.33 of the report below.

3.26 In addition, and as set out in the standards section of the report, BPCIC will be required to ensure community accessibility to the event including disability access and in line with the Trans Equality Scrutiny recommendations, access and inclusion of the Trans Community.

3.27 The BPCIC financial model includes tickets sales but also corporate sponsorship and in kind support. To obtain the best value for money from contracts and secure ongoing sponsorship arrangements, BPCIC would benefit from further certainty over a longer period of time than the current arrangements. It is therefore proposed to further extend BPCIC landlord's consent from the current agreement of 2015 - 2016 to a five year agreements running from 2015 to 2020. This agreement will be subject to annual assurances around the format, safety and community accessibility of the event as set out in sections 3.28 - 3.33 below.

3.28 In addition to the length of Landlords Consent and delivery of the PVP, BPCIC have requested some additional variations to Landlord's Consent given by Committee in 2013. These variations and associated recommendations are set out below:

The Saturday Pride Parade

3.28.1 There are no proposed changes to the Pride Parade arrangements **however** BPCIC would like to continue improvements in the overall quality of the Parade.

3.28.2 **Recommendation:** Agreed subject to the production of required Event Management Plan and associated documentation as set out in sections 3.29 - 3.33 below.

Pride Festival Set-Up on Preston Park

3.28.3 Following safety concerns during the process of setting-up and taking down of the Pride Event infrastructure on Preston Park BPCIC would like to restrict access to residents to improve health and safety arrangements. This change would mean sizeable areas of the park would be restricted between Thursday and Monday and this could total 5 days. BPCIC has met with residents groups and has agreed to work with community representatives and businesses located in the park on the safest and least disruptive arrangements.

3.28.4 **Recommendation:** Delegate authority to the Assistant Chief Executive to agree the phased closure of Preston Park between Thursday and Monday allowing the safe establishment and dismantling of Pride infrastructure. This agreement will be subject to the satisfactory outcome of feedback from BPCIC's community consultation with residents, businesses, ward Councillors and Friends of Preston Park. Additional assurance from the Council's Health and Safety Team will be sought throughout the production and agreement stages of the Event Management Plan and associated documentation as set out in sections 3.29 - 3.33 below.

Pride Festival: Footprint on Preston park

3.28.5 Pride would like to increase the main festival site to include the children's playground in southern part of the park. This area would become the family area within the ticketed part of the festival. BPCIC believe this would make the south end easier to manage, cutting off an area people like to sit in if they are not entering the event site and reducing opportunities for disturbance in that area.

3.28.6 Recommendation: Delegate authority to the Assistant Chief Executive to agree inclusion of the playground within the main event site. Preference by the authority at this stage would be for the playground to be open for use by the community during the establishment and dismantling phases of the Pride weekend and only be closed on the Saturday. This agreement will be subject to the outcome of feedback from BPCIC's community consultation with residents, businesses, ward Councillors and Friends of Preston Park. Arrangements will need to form part of the overall piece of work looking at children's safeguarding and wider community safety and displacement issues. As part of landlords consent the authority would seek support from Pride stewards in undertaking support work with regard to this issue within the Park (inside and outside of the immediate event foot print).

Pride Campsite

3.28.7 BPCIC operated a camping provision in 2013 and 2014. Whilst not achieving its anticipated potential the initiative enjoyed enough limited success that BPCIC would like to explore continuing this provision.

3.28.8 Recommendation: Agreed subject to the production of adequate Health and Safety and site management arrangements that are agreed by the Safety Advisory Group.

Pride Festival: Friday Night Preston Park

3.28.9 Landlord's consent in 2013 included permission to host an event within a restricted area of Preston Park. Adopting a seated format and stage within the Dance Tent creates a performance venue for comedy or entertainment of broad appeal to a wide cross-section of the community. It is envisaged that a specially configured section of the festival enclosure would be used, to include bars, catering and welfare provision and would open as follows:

- 1800hrs to 2000hrs ticketed admission, bars and catering
- 2000hrs to 2130hrs performance.
- 2130hrs – 2200hrs egress.

3.28.10 BPCIC would like amend the seating numbers in this updated landlord's consent request from 1800 to 3000. Event concepts and timings are indicative at this stage and subject to further development and cost analysis.

3.28.11 Recommendation: Delegate authority to the Assistant Chief Executive to agree subject to assurances around the format and the production of the required Event Management Plan and associated documentation as set out in sections 3.29 - 3.33 below.

Pride Festival: Saturday Preston Park

3.28.12 With the exception of the changes set out above no further changes are currently proposed to the format of the Saturday festival in the park. In summary BPCIC will be able to open the site from 10.00am with a phased closedown ending at 10.00pm.

3.28.13 **Recommendation:** Agreed subject to the production of required Event Management Plan and associated documentation as set out in sections 3.29 - 3.33 below.

Pride Festival: Sunday Preston Park

3.28.14 Landlord's consent in 2013 included permission to host a community event within a restricted area of Preston Park. The consent set out the possibility of delivering an arts and / or heritage based event utilising the main stage for example an outdoor concert or "prom in the park". It was envisaged that a specially configured section of the festival enclosure would be used, to include bars, catering and welfare provision, would open as follows:

- o 1400hrs to 1700hrs ticketed admission, bars, catering, peripheral attractions.
- o 1700hrs to 2000hrs performance (inc interval).
- o 2000hrs to 2100hrs egress.

3.28.15 Following engagement with local residents BPCIC would like to explore and develop a potential event with the local community. Initial ideas have included holding a family event that could attract up to 15,000 attendees and include much of the Pride infrastructure including the main stage.

3.28.16 **Recommendation:** Delegate authority to the Assistant Chief Executive to agree the final format of a possible Sunday event in Preston Park. This agreement will be subject to the satisfactory outcome of feedback from BPCIC's community consultation with residents, businesses, ward Councillors and Friends of Preston Park. Additional assurance from the Safety Advisory Group will be sought throughout the production and agreement stages of the Event Management Plan and associated documentation as set out in sections 3.29 - 3.33 below.

Pride Village Party Saturday and Sunday

3.28.17 Based on the successful trial in 2014, BPCIC would like to deliver the PVP as part of the overall Pride festival programme. The key objective of this event is and will continue to be community safety. To achieve this the event format would include:

- Creating an enclosed and ticketed event to manage numbers. Participants would be required to purchase and wear wristbands to enable access and the purchase of alcohol.
- Residents and businesses would be provided with free wristbands for identification and to enable free access and egress
- The event would be 'glass free' to reduce injuries and help with the clean-up.

3.28.18 Community and business engagement is ongoing, but based on learning to date the event format would be similar to that trialled in 2014 with St. James Street and

the lower end of Marine Parade being enclosed to create a specific event space for the PVP on Saturday evening (between 18.00hrs and 00.30 hrs) and Sunday afternoon (between 13.00 to 20.00hrs). On Saturday the site will have a phased closedown with St James Street and its side streets finishing at 00.00hrs and Marine Parade finishing at 00.30hrs. Clean up arrangements will aim to ensure the roads are open and clean as soon as possible.

3.28.19 Road closures and the establishment of the event enclosure maybe much earlier should crowd control be required and this decision will be subject to a dynamic risk assessment process on the day with the council and emergency services. In 2014 large crowds had started to gather in St James' Street from 1pm impeding traffic and requiring policing and stewarding support.

3.28.20 With regard to road closures on Saturday this will require Marine Parade to be closed (with traffic diverted along Edward Street) and one lane of the Old Steine at the end of St James' street to be also closed. Road closures for Sunday include Marine Parade as above but currently not the Old Steine.

3.28.21 Pride would in addition like to explore the possibility of using Madeira Drive on the Saturday evening to operate as a further event area to manage crowding and act as a decanting space following closure of the St James Street and Marine Parade areas. The event format on Madeira Drive is yet to be developed but would include bars and music with a proposed opening time of 21.00hrs to 03.00hrs. Further work is required with the Safety Advisory Group on this proposal and the council and partners have indicated the need for full cost recovery on this element should this proceed. Concerns around the beach, community safety and managing access need to be resolved.

3.28.22 **Recommendation:** Delegate authority to the Assistant Chief Executive to agree the final format and arrangements for the event. The decision to be subject to the satisfactory outcome of feedback from BPCIC's community consultation with residents, businesses and ward Councillors. Specific requirements of the event format to include:

- Ensuring community safety including the implementation of glass free zones and the management of 'green routes' for emergency services.
- A safe and financially sustainable format for an event on Madeira Drive (should this idea be pursued)
- Ensuring the number of wristbands sold and distributed is limited to the calculated safe capacity for the event footprint.
- Ensuring the proposed charge is proportionate to the cost of implementing the event.
- Ensuring engagement in the planning of the event with residents, hoteliers and businesses
- Ensuring the provision of free wristbands to residents, hotel guests and businesses and those who can demonstrate a need.

3.28.13 Additional assurance from the Council's Legal team will be sought throughout the production and agreement stages of the Event Management Plan and associated documentation as set out in sections 3.29 - 3.33 below.

Standards

3.29 BPCIC will be required to provide a full comprehensive Event Management Plan that will be agreed by the multi-agency Safety Advisory Group, which is established to

work with event organisers to ensure that all aspects of event planning conform to and are in line with guidance provided by the Health & Safety Executive guide HSG 195 the Event Safety Guide (second edition): A guide to health, safety and welfare at music and similar events.

3.30 It will be BPCIC's responsibility to ensure that all documentation is submitted on time, delays in producing documentation to the specified deadlines may result in the event being cancelled due to insufficient time for the appropriate level of planning to take place. The comprehensive event plan will include details relating to:

- Access Provision
- Crowd management plan
- Security and stewarding provision
- Emergency control plan
- Entertainments
- Environmental impact assessment
- Equal opportunity statement
- Production and event timetable
- Traffic Management Plan
- Transport Management Plan
- Waste Management Plan
- Event communication plan including named contacts
- Fire safety and evacuation plans
- First aid / medical plan
- Food safety plan
- Infrastructure
- Licensing requirements
- Marketing plan
- Noise Management Plan
- Public liability insurance
- Risk assessments
- Sanitary provision
- Site plans
- Sustainability
- Cancellation procedure including adverse weather conditions
- Child and vulnerable adult protection statement
- Complaints procedure
- Concessions and caterers
- Lost children and lost property procedures

3.31 In addition we will be asking the BPCIC to produce an equality statement and plan to ensure the event is accessible to the community. We would expect this plan to include arrangements to ensure the presence of community groups in the park and robust disability access arrangements including:

- accessible transport and parking facilities to and within the park
- a safe and managed viewing space on the parade route
- an access tent with toilet facilities, electricity supply for charging of mobility equipment and specific lighting
- signing on the main entertainment stage

3.32 In addition we will require robust actions to ensure access and inclusion of the Trans Community in Pride as set out and agreed by the council through the Trans Equality Scrutiny process.

3.33 The plans will be reviewed by the Council and its partner agencies. All events of this scale will be subject to scrutiny by the City Safety Advisory Group. If significant safety issues are flagged up it will be the role of SAG to determine whether these can be resolved and signed off. It is possible for an event to be cancelled if the organiser does not provide adequate levels of documentation or information to satisfy and mitigate for any safety issues that have been raised.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Over the past 20 years the authority has worked with a number of community and commercial institutions to deliver a safe and sustainable Pride format. Through this work the format of Pride has evolved and changed. The current Parade and Park framework has become well established and BPCIC has delivered two very successful Prides making significant contributions to LGBT communities and the city.

4.2 In developing a sustainable and effective approach to the PVP the Safety Advisory Group explored a number of options ranging from no intervention to enforcement. The format trialled in 2014 aimed to find an approach that could enable the event to happen whilst ensuring community safety and reducing negative impacts on residents. In general terms the trial year worked very well and learning will be used to develop more effective approaches in 2015 and beyond.

5 COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Consultation is taking place with residents, businesses, Sussex Police, East Sussex Fire & Rescue Service, and South East Coast Ambulance Service and Ward councillors on the proposed changes to the Pride format. There has also been consultation with cross service council officers in events, community development, highways, culture and communications.

5.2 Where consultation responses have been received these have been generally positive. Discussions are ongoing and these issues will be referred to the Safety Advisory Group.

5.3 Further consultation will also take place with the Safety Advisory Group, Environmental Health & Licensing and the Highways the Countryside Service.

5.4 Subject to Landlord's consent being granted, it will be the responsibility of the event organiser to carry out full consultation with a range of partners, residents and organisations, communicating their intentions to this wider audience.

6. CONCLUSION

6.1 The proposals contained within the report seek to secure a sustainable future for Pride in Brighton & Hove. The proposals seek to make better use of the infrastructure required for the current iteration of the event and provide the event organisers with enough stability to build and further develop the event.

Fundamentally the proposals seek to deliver a safe Pride that positively contributes to the success of the city.

6.2 Pride is a major part of the cultural capital of the city, generating income and providing both celebration and community cohesion. Its popularity and presence support and enhance the national and international profile of the city.

6.3 Supporting the proposals and encouraging the development of Pride and its associated products will allow for a more sustainable future and an improved offer.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Fees for this type of event would normally be charged in accordance with the Outdoor Events Policy, with any costs incurred being the responsibility of the organiser including road closures, parking bay suspensions, any costs of stewarding the event and rubbish clearance. However, as set out in section 3.22 and 3.23 of the report, it is anticipated that the council will continue to provide certain in-kind support. A guarantee against damage to the park will be sought and evidence of adequate insurance cover would also be required.

Finance Officer Consulted: Name Michael Bentley Date: 17/10/2014

Legal Implications:

7.2 Road closures can be actioned by way of Road Traffic Orders (RTOs) made in accordance with the Town Police Clauses Act 1857 and the Road Traffic Regulation Act 1984 and in the case of Madeira Drive pursuant to the East Sussex Act 1981 (see agenda item 37). The precise nature of the RTOs to be made will be determined in due course. Any other legal issues arising will be resolved at the time that the delegated authority given to the Chief Executive is exercised.

Lawyer Consulted: Bob Bruce Date: 27/10/14

Equalities Implications

7.3 Events in Brighton & Hove cater for people from all sectors of the community. This event is specifically aimed at the LGBT community living in Brighton & Hove as well as welcoming LGBT visitors from national and international destinations. During Pride the city is dressed to positively promote the city. The event is a clear demonstration from voluntary, public and private sector organisations of their commitment to equality and diversity in the city.

7.4 Organisers will be asked to produce an equality statement and plan to ensure the

event is accessible to the community. We would expect this plan to include arrangements to ensure the presence of community groups in the park and robust disability access arrangements including:

- accessible transport and parking facilities to and within the park
- a safe and managed viewing space on the parade route
- an access tent with toilet facilities, electricity supply for charging of
- mobility equipment and specific lighting
- signing on the main entertainment stage

7.5 In addition we will require robust actions to ensure access and inclusion of the Trans Community in Pride as set out and agreed by the council through the Trans Equality Scrutiny process.

Sustainability Implications:

7.6 The council is committed to managing the risk and environmental impact of its activities. Events that are hosted and staged in the city are reviewed as part of our commitment to continuous improvement and in line with our Environmental Management System (EMS). Event organisers will, as part of the application process, be asked to complete our Sustainable Event Statement. As part of the monitoring process these forms will be reviewed with organisers to identify areas for improvement as well as highlighting good practice. However, it is only by working in partnership with event promoters will it be possible to improve the sustainability of events by protecting and enhancing the environment, meeting social needs and promoting economic success.

Crime & Disorder Implications:

7.7 The Safety Advisory Group has specific terms of reference: ‘take an overview’ of all events taking place in the city, paying particular attention to days where a series of events are scheduled, to ensure the joint impact on the city infrastructure is understood, and those involved in the event have the capacity and capability to deliver a safe event as defined in the relevant guides”. The remit of the Group is therefore to advise on whether an event should proceed on safety and not any other grounds. Landlords’ consent may be withdrawn upon advice by SAG on safety grounds only.

7.8 The group works with Pride organisers and other stakeholders including the Police, council and the Fire and Rescue Service to minimise crime and disorder both within Pride events and across the city. This work includes a focus on anti-social behaviour, drugs and alcohol, licensing, organised crime, overcrowding and hate crime. In general terms this work has been successful in reducing crime and disorder within Pride Festival Events. Licensing teams worked with local businesses in advance of the event and on the day to reduce access of alcohol to young people.

7.9 Work on managing displaced activities and informal parties includes active policing of the Level and the sea front, additional provision of lighting in key areas within the city centre and the fencing of the Royal Pavilion.

Risk and Opportunity Management Implications:

7.10 The event will be subject to a full site-specific risk assessment which is signed off by the relevant statutory bodies as set out in the comprehensive event management plan.

7.11 Proposals for PVP aim to address concerns raised by the council and the emergency services after the 2013 street village party.

Public Health Implications:

7.12 In response to feedback from local residents that the Pride weekend was being driven by the consumption of alcohol, BPCIC is developing a broader based community and cultural offer.

7.13 Proactive partnership work aims to lower problems with drugs, alcohol and crime levels. Licensing teams worked with local businesses in advance of the event and on the day to reduce access of alcohol to young people. PVP included extensive work with licenced businesses to stop sales of low cost alcohol.

7.14 In Preston Park there were significant issues with groups of young people becoming intoxicated in various locations outside the main Pride entrance and in the city centre. Work will be undertaken to address these safeguarding and community safety issues, including partnership work with the police, the Safeguarding Board and the Alcohol Programme Board.

Corporate / Citywide Implications:

7.15 Pride positively contributes the city's national and international profile as a centre of equalities and as a visitor destination. The economic and wider cultural benefits of the event to the city are considerable. Proposals set out in this report support the sustainable development of the event whilst managing reputation and ensuring community safety.

Subject:	Events in Parks and Open Spaces 2015		
Date of Meeting:	Thursday 13th November 2014		
Report of:	Assistant Chief Executive		
Contact Officer:	Name:	Ian Shurrock	Tel: 292084
		Ian Taylor	
	Email:	ian.shurrock@brighton-hove.gov.uk	
		ian.taylor@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To seek approval from members for landlord's consent for the proposed programme of events in parks and open spaces in 2015.

2. RECOMMENDATIONS:

- 2.1 That the committee grants landlord's consent for the events listed in appendix 1.
- 2.2 That the committee authorise officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate.
- 2.3 That the committee authorises the Assistant Chief Executive, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Many of the events listed in appendix 1 have taken place before and retain their traditional place in the calendar of outdoor events. The council has licensed a range of parks and open spaces including the Old Steine, Hove Lawns, the Seafront and Madeira Drive to hold events, however, a balanced approach is required to prevent over use of these areas. Appendix 1 shows the range of spaces and sites where events are proposed to take place. Several new or amended event applications for 2015 have been received and a summary of these is outlined in 3.4 below.
- 3.2 Outdoor events play a major role in the city as a leisure destination and therefore contribute significantly to the economic impact that tourism brings to the city. The latest economic impact assessment values the contribution of tourism to the city's economy at £800m per year which supports 20,000 jobs (15,000 full time equivalents). The economic impact of events staged in the city is largely through hotel, restaurant and retail spend.

3.3 A good example of an event that has developed to provide a considerable economic impact to the city (estimated to be £3.7 million per annum) is the **Brighton Marathon**. The Brighton Marathon is established already as one of the leading marathons in the country which attracts a high class field of international athletes, as well as thousands of fun runners who raise millions of pounds for charity. In addition, the huge crowds that are drawn to watch the event create a fantastic atmosphere and brings the city alive along the route. The media coverage of the event including television highlights also helps to promote the city.

3.4 **New, Amended and Deferred Event Applications**

The Warren @ St Peter's, north lawn St Peter's Church, Thursday 30th April – Sunday 31st May 2015 – (New)

3.4.1 Otherplace Productions Ltd propose to run a Fringe venue throughout the Festival as a replacement for The Warren that needs to relocate from its Russell Road location. The pop up venue would host comedy and theatre productions in two temporary structures, with additional welfare facilities and a bar and catering offer.

3.4.2 Opening hours would be 1100 hrs until 0030 hrs mid week and 1100 hrs until 0200 hrs at the weekend, the same as the Spiegeltent. The organisers would apply for their own premises licence.

Brighton Festival Outdoor Programme, Various, Saturday 3rd – Sunday 24th May 2015 – (Deferred)

3.4.3 Due to this report being presented at an earlier committee meeting than in previous years, we have yet to receive details from Brighton Festival of their outdoor programme. As soon as proposals are received, these will be considered for approval through delegated powers.

Cancer Research Race For Life/Pretty Muddy, Stanmer Park, Saturday 4th & Sunday 5th July 2015 – (Amended)

3.4.4 Cancer Research has held its annual Race For Life weekend in Stanmer Park for over 10 years. The capacity for entry numbers has been reached and so the charity would like to introduce their new concept 'Pretty Muddy' to the city. This would be held on the same weekend using the same 10km / 5km route in the park, but there would be an obstacle every 500m. The obstacles include inflatables and "muddy" water hazards.

3.4.5 The potential for detrimental impact on the surface in Stanmer Park has been considered. Maidstone Council confirmed that they had similar concerns for holding the event in a local wildlife site this year. However, the site was left completely clear following the event and had no more impact than any other charity fun run.

Shakedown Music Festival, Waterhall, Saturday 18th July 2015 – (Amended)

- 3.4.6 In 2014, Shakedown Festival moved to a new site at Waterhall for their 5th festival. The event attracted just over 10,000 people and was a success at this location. The promoters hope to increase the attendance in 2015 to 15,000 by building upon this year's success and achieve the planned capacity.
- 3.4.7 The council received no noise complaints this year, the grounds were left in good condition and the only issue of concern was the egress of attendees from the site. This was addressed at the debrief, and all partners and emergency services would work towards improving the egress for the same location in 2015. The event will be planned for the same opening times.

BN2 Music Festival, Preston Park, Saturday & Sunday 4th & 5th September 2015 – (New)

- 3.4.6 BN2 (working title) is a small greenfield music and arts festival being planned by a group of local business people. It would target local people aged 25-50 with a capacity of 5000 including all artists and crew. The footprint would consist of three small stages, a food market celebrating local produce, with arts and crafts stalls demonstrating the talents of local entrepreneurs.
- 3.4.7 The event site would open from 11:30am and close at 10pm both days and the event would be fenced and ticketed. The event organisers want to attract local families to the event so tickets would be available to people aged 12 and over, with under 18's being accompanied by an adult. They intend to use the North West corner of Preston Park.

Brighton & Hove 10 Mile Road Race, Hove Lawns & City Centre, Sunday 18 October 2015 – (New)

- 3.4.8 A proposal has been received from Runbase, a new company formed by the organisers of the Brighton Half Marathon (on behalf of Sussex Beacon). There is a gap in the city's running calendar for a 10 mile event. The only similar race in the area being the Great South Run in Portsmouth which also held in October, so the intention is for the two events to complement each other.
- 3.4.9 The event would start (and finish) on Hove Lawns at 9am for a maximum of 5000 runners in year one. The route would head east along the A259 then north and turn at St Peters Church. Returning to the seafront to head east the route turns at the Southern Water treatment works and back along to Hove Lagoon, with the runners coming to the finish along Hove Promenade.

Zippos Circus – (Deferred)

3.4.10 An application has been received for Zippos Circus to return to Hove Number One Lawn from Thursday 20th August 2015 to Tuesday 1st September 2015. A petition on the banning of animals in circus acts was presented to Council on 23rd October 2014 and has been referred to the Environment, Transport & Sustainability (E, T & S) Committee on 25th November 2014. The request from Zippos Circus will be deferred and considered under the delegated powers in this report, with regard to any decision made by the E, T & S Committee at their November meeting.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Not applicable

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Consultation is taking 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 will also follow as the events are developed between the respective event organiser and our partner agencies.

5.2 As this report is being considered at an earlier committee than usual, it has not been possible to include consultation responses in the report. A verbal update on the consultation responses will be given at the meeting.

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 usually 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 as per the recommendations of this report.

7.2 The income generated from fees charged for commercial events contribute to the costs of the Outdoor Events Team and enables charitable and community events

and free public entertainments to be supported at reduced rates or free of charge. The target income for outdoor events in 2014/15 is £223k. This is expected to increase to £227k in 2015/16 after allowing for the 2% inflationary increase in accordance with the budget strategy.

Finance Officer Consulted: Mike Bentley

Date: 22/10/14

Legal Implications:

- 7.3 Brighton & Hove City Council is empowered under the East Sussex Act 1981 to use each park and open space in its area for up to 28 days a year in order to facilitate the staging of major outdoor events. Some events may need planning permission, depending on whether permitted development rights are available (use of up to 28 days in any one year under the terms of Part IV Class B of Town & Country Planning (General Permitted Development) Order 1995)) and the nature of the proposals.
- 7.4 The proposals in this report are made in accordance with the Outdoor Events Policy. The policy incorporates relevant considerations in respect of convention rights incorporated by the Human Rights Act 1998. The policy is clear that a balancing act is required between the competing interests of those who attend the events and those who do not wish to attend and consultation is suggested to ensure that this balancing exercise is properly carried out.

Lawyer Consulted: Bob Bruce 27.10.14

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. The programme is certified to the international standard for environmental management ISO 14001.
- 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. The Sustainable Events Programme contributes to the Culture and Community Principle of the One Planet Sustainability Action Plan.

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 Event specific Safety Advisory Groups can be convened for all major outdoor events taking place in Brighton and Hove that have the potential to attract significantly large numbers of people.
- 7.11 Sussex Police are involved in the consultation and planning of all major events.

SUPPORTING DOCUMENTATION

Appendices:

- 1. List of proposed outdoor events in parks and open spaces for 2015.

Documents in Members' Rooms

None

Background Documents

None

APPENDIX ONE

EVENTS – PARKS AND OPEN SPACES

Events requiring the use of parks and open spaces in Brighton & Hove 2015

DATE	EVENT	VENUE	TIMES	ATTENDANCE
Sat 31 Jan	Universities Cross Country	Stanmer Park	0800-1500 hrs	1,000
Fri/Sat 3/4 April	Brighton & Hove Food and Drink Festival	New Road	1000-1700 hrs daily	5,000
Sun 5 April	Passion Play	St Peter's south lawn	1200-1600 hrs	2,000
Sat 11 April	Mini Mile Races	Preston Park	1000-1600 hrs	5,000
Sun 12 April	Brighton Marathon (1)	Preston Park	0700-1500 hrs	15,000
Thurs 30 April – Sat 9 May	Festival Funfair	The Level	1400 - 2200 hrs daily	10,000
Thurs 30 April – Sun 31 May	The Warren @ St Peter's	St Peter's north lawn	Various *See 3.4.1	Various *See 3.4.1
Fri 1 - Sat 30 May	Ladyboys of Bangkok	Victoria Gardens	Shows 1900 hrs & 2100 hrs each day	20,000
Sat 2 – Mon 4 May	Foodies Festival	Hove Lawns	1100-1900 hrs daily	10,000
Fri 1 – Sun 31 May	Spiegeltent	Old Steine	Sun- Wed 1200-0030 hrs, Thurs – Sat 1200-0200 hrs	30,000
Sat 2 May	Festival Children's Parade	City Centre	1000-1500 hrs	20,000
Sat 2- Sun 24 May	Brighton Festival	Various See 3.4.2	Various See 3.4.2	N/A
Sat 2, 9, 16, 23 & Sun 3 & 24 May	Fringe City	New Road	1200-1800 hrs each day	N/A
Weds 6- Tues 19 May	Billy Smart's Circus	Preston Park	Various	10,000
Sun 10 May	Sussex Heart Charity Sponsored Walk	Brighton & Hove Seafront	1000-1600 hrs	1000
Sun 10 May	Big Balls	Hove beach	0900-1500hrs	500
Sun 10 May	Stonewall Equality Walk	City Centre	1400-1600	5,000
Sat 16 May	Spring Festival	St Ann's Well Gardens	1200-1900 hrs	3,500
Sun 17 May	Heroes vs Villains Superheroes Run	Hove Lawns/Prom	1000-1500 hrs	600
Sun 17 May	Mackerel Fayre	Fishing Museum	1200-1600 hrs	1,000
Mon 25 May	Martlets Carnival	Hove Park	1000-1700 hrs	2,000
Fri 29 – Sun 31 May	Brighton & Hove Food and Drink Festival	Hove Lawns	1000-1700 hrs daily	15,000
Sun 7 June	Concours D' Elegance	Hove Park	1000-1600 hrs	500
Fri 12 June	Martlets Midnight Walk	City Centre	2300-0600 hrs	1,000
Sat 13 June	Rottingdean Lions Fayre	Rottingdean Village Gn & Kipling Gdns	1000-1800 hrs	2,000
Sun 14 June	Sussex Festival of Nature	Stanmer Park	1000-1700hrs	5,000
Sun 14 June	NTC Founders Day	Preston Park	1000-1600 hrs	500

Thurs 18 – Sun 21 June	Funfair	Victoria Recreation Ground, Portslade	1400-2200 hrs daily	4,000
Sat 20 June	Take Part Sport Festival	Preston Park	1000-1700 hrs	8,000
Sat 27 June	Bikestock	Stanmer Park	1000-1600 hrs	500
Sun 28 June	Capital to Coast Bike Ride	Hove Lawns	0900-1800 hrs	3,500
Sat/Sun 4/5 July	Race for Life/Pretty Muddy	Stanmer Park *See See 3.4.4	1000-1700 hrs	5,000
Sat/Sun 4/5 July	Paddle Round The Pier	Hove Lawns	1000-2100 hrs	15,000
Sat/Sun 11/12 July	Brighton Kite Festival	Stanmer Park	1100-1600 hrs	2,000
Wed 15 July	Phoenix 10k Run	Hove Promenade and Hove Lawns	1700-2100 hrs	500
Sat 18 July	Saltdean Gala Day	Saltdean Oval	1000-2200 hrs	500
Sat 18 July	Shakedown Festival	Waterhall *See 3.4.6	1200-0000	15,000
Sun 19 July	RSPCA Open Day	Braypool Sports Field	1000-1700 hrs	2,000
Sat 1/ Sun 2 Aug	Pride	Preston Park	1200-2200 hrs	40,000
Sat 8 August	Little Monsters Bash	Stanmer Park	1000-1800 hrs	5,000
Sun 9 August	999 Day	Hove Lawns	1000-1700 hrs	2,000
Sat/Sun 15/16 August	Big Dog/Stiletto on Wheels	Stanmer Park	1000-1800 hrs	1,500
Mon 17 Aug- Sun 20 Sept	Big Screen (to incorporate Rugby World Cup Fan Zone)	Brighton Beach alongside Madeira Drive	1000-2300 hrs	4,500 per day
Fri 28 – Mon 31 August	Funfair	Hove Prom	1000-2000 hrs	2,000
Sat 29 – Mon 31 August	Brighton & Hove Food and Drink Festival	Hove Lawns	1000-1700 hrs daily	15,000
Sat/Sun 29/30 August	Thai Festival	Preston Park	1000-1900 hrs each day	5,000
Sat/Sun 5/6 Sept	BN2 Music Festival	Preston Park *See 3.4.7	*See 3.4.6	5,000
Sat/Sun 12/13 Sept	Brighton & Hove Food and Drink Festival	New Road	1000-1700 hrs	5,000
Thurs 17 – Sat 26 Sept	Funfair	The Level	1400 - 2200 hrs daily	10,000
Sat/Sun 19/20 Sept	Fiery Food Festival	Victoria Gardens	1000-1800 hrs	2,000
Sat 19 Sept	BHF London to Brighton off road bike ride	Hove Lawns	1100-2000 hrs	1,000
Sun 27 Sept	Apple Day	Stanmer Park	1100-1700 hrs	1,000
Sun 27 Sept	Cyclo sportive	Hove Lawns	0900-1700 hrs	500
Sun 18 Oct	Brighton & Hove 10 Mile Road Race	Hove Lawns/City Centre *See 3.4.8	*See 3.4.7	5,000
Sat 7 Nov	Family Fireworks Spectacular	Nevill Recreation Ground	1600-2000 hrs	2,500

**(1) Landlord's consent already approved for 5 years – 2014-2018 incl.
THIS LIST IS SUBJECT TO CHANGE**

Subject: Events – Madeira Drive Road Closures 2015
Date of Meeting: Thursday 13th November 2014
Report of: Assistant Chief Executive
Contact Officer:
Name: Ian Shurrock **Tel:** 292084
Ian Taylor
Email: ian.shurrock@brighton-hove.gov.uk
ian.taylor@brighton-hove.gov.uk
Ward(s) affected: All

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To seek approval from members for landlord's consent of the proposed programme of events on Madeira Drive in 2015 and the associated road closures.

2. RECOMMENDATIONS:

- 2.1 That the committee grants landlord's consent for the 2015 programme of events on Madeira Drive and the associated road closures as listed in Appendix 1.
- 2.2 That the committee authorises officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate.
- 2.3 That the committee authorises the Assistant Chief Executive, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Madeira Drive is a very important venue for events in the city. The long heritage of events on Madeira Drive is reflected by most of the events listed in Appendix 1 having taken place at this location previously and they retain their usual format. The events draw residents and visitors to Madeira Drive which extends the Seafront offer both geographically (along from the main tourism area between the piers) and seasonally (by holding events throughout the year).

- 3.2 Events play a major role in the city being a leisure destination and therefore contribute significantly to the economic impact that tourism brings to the city. The most recent economic impact assessment values the contribution of tourism to the city's economy at £800m per year and supports 20,000 jobs (15,000 full time equivalents).

Tour of Britain Cycling Race

- 3.3 One of the highlights of the events programme on Madeira Drive in 2014 was the **Tour of Britain** professional cycling race when a stage finish was held on Saturday 13th September. The Tour of Britain is the biggest free to attend sporting event in this country. The finish on Madeira Drive was the culmination of the longest stage on this year's Tour (140 miles) starting in Camberley and going through West and East Sussex before reaching the city.
- 3.4 In the city there was an estimated 50,000 spectators who lined the route to cheer on some of the world's leading cyclist including Bradley Wiggins and Mark Cavendish. There was an estimated economic impact of £1.3 million specifically to the city for the event. In addition, for the Tour as a whole research indicated that 55% of spectators were inspired to cycle more often and 87% described the race as very enjoyable.
- 3.5 The city received excellent promotion from the television and other media coverage with the helicopter camera providing high quality aerial pictures of the city. The average viewing figures for the Sussex stage were the second highest of the week (after the opening stage) with 1.322 million viewers for the live, highlights and repeat screening. One of the attractions of hosting the stage 7 finish was that the race was reaching a climax and held on a Saturday with television and spectator figures boosted over a weekend.
- 3.6 There are two new events proposed for Madeira Drive for the 2015 programme and both suitably follow the success of the Tour of Britain in that the first is a cycling event and the second a fanzone for international sport. These new events are:

Velocity : Saturday 12th September 2015

- 3.7 The enormous popularity of cycling that was shown by the Tour of Britain is also reflected by an application for a new event called Velocity on Saturday 12th September 2015. This community cycling event features amateur grade races for all ages rather than professional cyclists. Therefore, it gives the opportunity for more local people to actually take part in the cycling rather than only be spectators. However, there will also be plenty of cycling themed attractions to interest visitors including a cycling exhibition, cycling displays and cycling merchandising.

Rugby World Cup Fanzone : Friday 18th / Saturday 19th / Sunday 20th September 2015

- 3.8 Brighton & Hove has been selected as one of the eleven host cities for the 8th Rugby World Cup in 2015. The Brighton Community Stadium will host two games, with South Africa playing Japan on Saturday 19th September and Samoa versus the United States on Sunday 20th September. Both of these matches are over subscribed with ticket applications and ballots have taken place to allocate tickets. The Rugby World Cup is second only to the football World Cup in the number of spectators that watch the event.
- 3.9 As a host city there is the opportunity to provide a fanzone in the city during the tournament which increase the economic impact of the event by attracting visitors to the city centre. It is predicted that the Rugby World Cup Fanzone will be a popular venue not only for rugby fans, but attracting residents and visitors who like to experience being part of the city.
- 3.10 The fanzone site will include Brighton's Big Screen on the beach adjacent to Madeira Drive which will have been showing films for the preceding four weeks. The fanzone will screen the opening match of the tournament featuring England on the Friday night as well as the matches being played at the Community Stadium. As well as screening the matches, Madeira Drive will be closed to traffic and to enable a festival of culture and participation activity to take place.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Not applicable

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Consultation is taking place with Ward Councillors, Sussex Police, East Sussex Fire & Rescue Service, South East Coast Ambulance Service and NHS Trust. Internally, consultation is taking place with the Seafront Office, Environmental Health & Licensing, City Parks, Civil Contingencies and Highways.
- 5.2 As this report is being considered at an earlier committee than usual, it has not been possible to include consultation responses in the report. A verbal update on the consultation responses will be given at the meeting.

6. CONCLUSION

- 6.1 Landlord's consent is required for the staging of all major outdoor events on council land within Brighton & 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 usually 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 as per the recommendations of this report.
- 7.2 The income generated from fees charged for commercial events contribute to the costs of the Outdoor Events Team and enables charitable and community events and free public entertainments to be supported at reduced rates or free of charge. The target income for outdoor events in 2014/15 is £223k. This is expected to increase to £227k in 2015/16 after allowing for the 2% inflationary increase in accordance with the budget strategy.

Finance Officer Consulted: Mike Bentley

Date: 22/10/14

Legal Implications:

- 7.3 The Council is empowered under the East Sussex Act 1981 to use Madeira Drive for up to 28 days a year in order to facilitate the staging of major outdoor events.
- 7.4 The proposals in this report are made in accordance with the Outdoor Events Policy. The policy incorporates relevant considerations in respect of convention rights incorporated by the Human Rights Act 1998. The policy is clear that a balancing act is required between the competing interests of those who attend the events and those who do not wish to attend and consultation is suggested to ensure that this balancing exercise is properly carried out.
- 7.5 The terms of the agreements with the event organisers, the ongoing consultation process and the long lead-in periods ensure that the events are safe and well managed and that disruption is kept to a minimum.

Lawyer Consulted: Bob Bruce

Date: 27/10/14

Equalities Implications:

- 7.1 The Events programme caters for people from all sectors of the community as there is 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:

- 7.2 All events are planned and staged in accordance with the statutory powers and planning obligations as set out in the Outdoor Events Policy.
- 7.3 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. The programme is certified to the international standard for environmental management ISO 14001.
- 7.9 The Sustainable Events Programme gained certification to the International Standard for Sustainable Events ISO 20121 in October 2013. The programme helps deliver visible sustainability initiatives, particularly around event waste recycling and encouraging people to use public transport. The Sustainable Events Programme contributes to the culture and community principle of the One Planet Sustainability Action Plan.

Any Other Significant Implications:

- 7.10 The City Safety Advisory Group has an overview of all the major events that take place in Brighton & 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 events. Where required event specific Safety Advisory Groups can be convened for any major outdoor event taking place in Brighton & Hove that has the potential to attract significantly large numbers of people.
- 7.11 Event specific Safety Advisory Groups can be convened for all major outdoor events taking place in Brighton & Hove that have the potential to attract significantly large numbers of people.
- 7.12 Sussex Police are involved in both the consultation and planning of all major events.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1 – Madeira Drive road closures 2015

Documents in Members' Rooms

None

Background Documents

None

Appendix 1
EVENTS – MADEIRA DRIVE
Events requiring the closure of Madeira Drive 2015

DATE	EVENT	CLOSURE	ATTENDANCE
Sun 22 Feb	Brighton & Hove Half Marathon (1)	Sat 21 Feb 0600-0400 hrs LP9 (lamp-post)-LP20 Sun 22 Feb Aquarium to Black Rock 0400-1800 hrs	15,000
Sun 22 Mar	Pioneer Motorcycle Run	Aquarium to Black Rock 0600-1800 hrs	15,000
Sun 12 Apr	Brighton Marathon (1)	Fri/Sat 10/11 Apr LP8-LP20 from 0500 hrs Sun 12 Apr Aquarium to Black Rock 0400-2200 hrs Mon 13 Apr LP8-LP20 until 2200 hrs	40,000
Sun 19 Apr	Austin 7's London to Brighton Car Run	LP9-LP20 0600 – 1800 hrs	1,000
Sat 25 Apr	InCarNation	Aquarium to Black Rock 0600 – 1800 hrs	3,000
Sun 26 Apr	Jaguar Car Run	LP9-LP20 0600-1800 hrs	1,500
Sat 2 May	Children's Parade	Aquarium to base of Duke's Mound 0800- 1500 hrs	20,000
Sun 3 May	Historic Commercial Vehicle Run	Aquarium to Black Rock 0600-1900 hrs	5,000
Sun 10 May	MG Regency Run	Aquarium to base of Duke's Mound 0600-1800 hrs	2,000
Sun 17 May	Mini Owners Rally	Aquarium to Black Rock 0600 – 1800 hrs	10,000
Sun 31 May	Classic Car Run	Aquarium to Black Rock 0600 – 1800 hrs	2,500
Sun 21 Jun	British Heart Foundation's London to Brighton Bike Ride (2)	LP7-LP20 Sat 0600-Sun 0400 hrs Aquarium to Black Rock, Sun 0400-2230 hrs	50,000
Sat 11 – 12 Jul (night time)	British Heart Foundation's London to Brighton Bike Night Ride (2)	LP10-LP20 Sat 1600 – 0000 hrs, Sun 0900 – 1500 hrs Aquarium to LP20 Sun 0001- 0900 hrs	8,000
Sat 1 Aug	Pride Parade	Aquarium to LP20 0600 – 1200 hrs	50,000
Sat 5 Sept	Speed Trials (2)	Aquarium to Black Rock 0600 – 2200 hrs	10,000
Sun 6 Sept	Do it for Charity London	Base of Duke's Mound to	3,000

	to Brighton cycle event	Black Rock 0600 – 1800 hrs	
Sat 12 Sept	Velocity – see 3.6	Aquarium to Black Rock 0600-1800 hrs	5000
Sun 13 Sept	Ace Café Reunion	Aquarium to Black Rock 0600 – 2200 hrs	20,000
Fri/Sat/Sun 18/19/20 Sept	Rugby World Cup Fanzone – see 3.7	Aquarium to base of Dukes Mound 0600 – 2300 hrs each day	10,000
Sat 3 Oct	Volkswagen Classic Run	Aquarium to Black Rock 0600-1800 hrs	6,000
Sun 4 Oct	Landrover Run	Aquarium to Black Rock 0600-1800 hrs	3,500
Sun 11 Oct	Brightona	Aquarium to Black Rock 0600 -1800 hrs	5,000
Sun 1 Nov	Veteran Car Run	Aquarium to Black Rock 0600-0000 hrs	10,000
Sun 15 Nov	10K Road Race	Aquarium to Black Rock 0700-1300 hrs	5,000
Mon 21 Dec	Burning the Clocks	1600-2100 hrs	20,000

(1) Landlord's consent already approved for 5 years – 2014-2018 incl.

(2) Landlord's consent already approved for 3 years – 2014-2016 incl.

LP: lamp post on Madeira Drive which demarcates the event area

THIS LIST IS SUBJECT TO CHANGE

Subject:	Department for Communities and Local Government - Technical Consultation on Planning		
Date of Meeting:	13 November 2014		
Report of:	Executive Director		
Contact Officer:	Name:	Helen Gregory	Tel: 29-2293
	Email:	Helen.gregory@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report seeks the approval and endorsement of the interim response sent by officers on behalf of the council in response to the recent government consultation on proposals to further streamline the planning system.
- 1.2 The interim response was submitted to the Department for Communities and Local Government (DCLG) in order to meet the consultation deadline of 26 September 2014 but this was subject to the approval and endorsement of the response at this meeting.

2. RECOMMENDATIONS:

- 2.1 That the Committee approves and endorses the interim response to the Government's consultation seeking to further streamline the planning system (see Appendix 1).
- 2.2 That the Committee requests the Department for Communities and Local Government to consider giving short term holiday lets their own planning use class.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 On the 31 July 2014 the Government published a wide-ranging set of proposed changes to the planning system for a six week period of consultation covering: speeding up neighbourhood planning; changes to the use class order and expanding permitted development rights; improving the use of planning conditions and the planning application process; raising the screening thresholds for Environmental Impact Assessment; and further changes to nationally significant infrastructure consents regime.
- 3.2 Some of the proposals are intended to make permanent a number of temporary permitted development rights arrangements which were introduced in May 2013 in order to stimulate development during the recession, whilst others were announced during the March 2014 Budget such as further clarification of the proposed 'three tier' development management system. The general direction of most of the proposals is one of deregulation and streamlining, but a small

number of the provisions seek to provide local planning authorities with greater controls. A copy of the consultation document has been placed in the Members' Rooms.

Section 1 - Neighbourhood Planning

- 3.3 The government's intention is to make the neighbourhood planning process 'simpler and speedier'. The proposals seek to introduce a statutory time limit of 10 weeks for a local planning authority to make a decision on neighbourhood plan area designations, to change the neighbourhood plan consultation requirements and to provide clarification of the Strategic Environmental Assessment (SEA) requirements for neighbourhood plans. It should be noted that these proposals would require legislative changes which may not be capable of enacting before the general election.
- 3.4 In response it is considered that introducing a statutory time limit of 10 weeks to determine a neighbourhood area designation application would not be sufficient to address the sometimes complex nature of neighbourhood planning in urban areas and insufficient to exercise advice to facilitate consensus. Recent experience in Brighton & Hove has shown that more time is required to address issues of forum membership, the proposed boundary (as ward and neighbourhood group boundaries rarely coincide) and to build community consensus. 10 weeks would also be unrealistic for local authorities who do not have delegated decisions on designating neighbourhood areas.
- 3.5 The proposed removal of the pre-submission consultation stage of neighbourhood plans is also not supported. A neighbourhood plan performs the same function of land allocation as a local plan and adequate stages of community engagement and consultation are therefore required. Many neighbourhood plans have been significantly changed between the pre-submission stage and submission stage in order to include community views and to resolve conflicts with strategic policies. It helps to make a more robust neighbourhood plan going forward to examination and decreases the risk of challenges relating to strategic environmental assessment and/or Habitat Regulations.
- 3.6 It is also considered that the current Neighbourhood Planning Regulations are not sufficiently clear on the Strategic Environmental Assessment requirements. Given recent judgements it would appear that Neighbourhood Plans will also be subject to the requirements of the SEA Directive and would therefore always require a screening determination. Clearer guidance/ legislation is required as to when screening (determination) should be carried out on neighbourhood plans. It is considered that the SEA process should be carried out alongside and inform plan preparation.

Section 2 - Reducing Planning Regulations to support housing, high streets and growth

- 3.7 This section of the government consultation document covers a large number of proposals. To promote growth, deliver housing and support high streets, the government is committed to making the planning system simpler, clearer and

easier to use with the planning application process proportionate to the potential impact of any development. A three tiered system is described as:

- **Full planning application** – appropriate for large scale, complex developments or those with greatest impact on neighbours, the wider community or the environment;
- **Permitted development rights with prior approval** – lighter touch process that applies where the principle of development has been established, but certain specified issues still require local consideration (automatic permission if the local authority has not responded within a specified numbers of days).
- **Permitted development rights no prior approval** – removes the need for a planning application as planning permission is granted nationally by the Secretary of State. Appropriate for small scale changes and some strategic development, providing freedom to carry out development which has less impact on neighbours, the community or environment.

3.8 The specific consultation proposals set out are:

Increasing housing supply

- Making permanent the current temporary permitted development right to convert offices to residential use.
- Making permanent the permitted development right for householder extensions.
- Introducing a permitted development right to allow the change of B1(c) industrial uses and B8 storage and warehousing uses to housing

Increasing Flexibilities for High Street Uses

- Allowing launderettes, amusement arcades, casinos and nightclubs to convert to housing without planning permission
- Broadening the A1 class to include most of the uses that are currently A2 (financial and professional services such as banks, estate agents and employment agencies)
- Betting shops and pay day loan shops would be defined as A2 use class, and any change of use to a betting shop or a pay day loan shop would require planning permission.
- Allowing A1 and A2 premises and launderettes, amusement arcades, casinos and nightclubs to change use to A3 restaurants and cafes or D2 assembly and leisure uses without the need for planning permission.

Expanded facilities for retailers

- Allowing ancillary buildings; mezzanine floors and extension of loading bays for existing shops without the need for planning permission

Parking Standards

- Removing the right of local authorities to set maximum parking standards

Supporting Growth

- Permitted development rights for film and television industries, solar PV panels for commercial properties, extensions to business premises, waste management facilities, equipment housings for sewerage undertakers.

The government intends to introduce new legislation to implement these changes at the earliest opportunity.

3.9 Significant concerns have been raised with the proposals to make permanent changes to permitted development rights to allow for offices, some industrial buildings and storage and warehouse buildings to be converted to housing

without the need for planning permission. These proposed changes are considered to be a further erosion of the council's ability to maintain in the long-term a supply of needed employment land which will have a detrimental impact on future economic growth in the city. There will also be a detrimental impact on established office locations, business or industrial parks through piecemeal changes of use. Furthermore there are also concerns with the quality and standard of living accommodation likely to be created through conversions. The prior approval process does not allow for affordable housing and other important policy areas (such as the provision of amenity and open space) to be considered.

- 3.10 Whilst increasing the flexibility of uses in the high street where there is no longer demand for a particular use is in principle acceptable, there are concerns that the prior approval process does not adequately address all the potential issues likely to arise such as the overconcentration of one shop type along a street frontage.
- 3.11 The government has indicated with the proposed permitted development right changes a number of additional issues that could potentially be considered through prior approval process such as floorspace thresholds, design and external appearance, impact on neighbouring employment uses, or in the case of office to residential conversions the impact of loss of the most strategically important office accommodation. However it is considered that these proposed prior approval issues would lead to an approach that is neither a plan-led approach nor a light touch. The consultation document illustrates the increasing complexity of the incremental changes to the permitted development rights system. If all the proposals as indicated are introduced it is considered that the opposite effect will be created; a complex and difficult to negotiate planning system, which does not assist either the development industry or businesses and a system which will does not allow local communities to be fully involved.
- 3.12 The experience of Brighton & Hove show that the processes around dealing with a prior notification application are similar to that of a full application, but the fee is set considerably lower meaning that the full costs are not met.
- 3.13 The proposed change to require a planning application for any change of use to a betting shop or a pay day loan shop is welcome. There was increasing concern with the lack of powers available to act on community concerns such as the clustering of high streets with payday lenders or betting shops. Requiring change of use applications is considered appropriate particularly as these types of shops can open up in succession to one another and can be seen to exploit lower income areas. Further, over-concentration of certain shop types makes high streets less appealing. The National Planning Policy Framework should be amended to make clear that local authorities can control the clustering of betting shops in local plans where this is justified.

Short Term Holiday Lets

- 3.14 The DCLG has recently indicated that it plans to provide clarity on holiday lets, however this was not included in the DCLG Technical Consultation Paper. Brighton & Hove City Council through a recent Scrutiny Panel has investigated

the issue of short-term letting accommodation¹ catering for larger groups, particularly hen and stag parties. Recent research has shown that Brighton and Hove is one of the top UK hen and stag party destination². It is a growing market in Brighton & Hove and whilst contributing to the visitor economy, evidence clearly demonstrates the adverse affect on residents by way of noise and anti-social behaviour. The council considers that if holiday let owners had to apply for 'change of use' this would give residents and other affected parties the chance to make representations for or against the proposal and for them to be considered against a set of agreed criteria.

- 3.15 Currently Section 25 of the Greater London Council (General Powers) Act 1973 effectively makes holiday lets in the capital a use class that requires planning permission; however this is not available for other areas of the country. Therefore this report recommends that the DCLG consider giving short term holiday lets their own planning use class for use in the rest of England and Wales.

Parking Standards

- 3.16 The government is seeking to understand 'whether local authorities are stopping builders from providing sufficient parking space to meet demand' and whether local authorities' powers to set maximum parking standards should be restricted. Within Brighton & Hove, parking standards do include maximum levels to ensure parking does not impact negatively on the city's particular natural and built environments and lead to congestion and pollution.
- 3.17 Local authority powers to set maximum parking standards should not be restricted. It is considered that local authorities are best placed to determine what the appropriate level of parking is for their locality. Parking standards should be set by local authorities based upon local characteristics, taking into account public transport accessibility, car ownership levels, on-street parking stress, accessibility to local facilities, the nature of the locality (i.e. urban, suburban, rural) and the proposed land use with a differentiation between origin and destination land uses. All these factors should be assessed by the local authority when setting appropriate standards for their communities. It is considered the proposed change is therefore contrary to the aims of Localism.

Improving the Use of Planning Conditions

- 3.18 The government believes that 'too many overly restrictive and unnecessary conditions are attached routinely to planning permissions, with no regard given to the additional costs and delays on sites which have already secured planning permission.' It proposes tackling this by:
- Creating a 'deemed discharge' for certain types of conditions where the Local Planning Authority (LPA) does not make a timely decision.
 - Requiring that LPAs share draft conditions with applicants for major developments before making a decision.

¹ defined as short-term let available to rent for up to a week at a time; accommodating 10 people or more (not usually a family group), usually with two or more people per room and tending to be used for stag and hen parties, but not always the case.

² <http://www.redsevenleisure.co.uk/hen-weekends/uk/>

- Requiring LPAs to justify pre-commencement conditions.

3.19 In response, there is much to support in these proposals as they reflect that increasingly the Council has been working with developers with their approvals and negotiating to secure appropriate details to discharge conditions, particularly those relating to major developments. This has resulted in some approvals taking over 8 weeks, rather than the application being refused and further details being resubmitted in a revised application. The introduction of a deemed discharge should enable this to continue if both parties agree. However requiring LPAs to justify pre-commencement condition is not supported as this would not simplify the procedures but add to the workload on the LPA in the determination of planning applications.

Improving the Planning Application Process

3.20 Of most interest to the council in this section of the consultation document, is the proposed change to the involvement of statutory consultees. The government believes that the existing duty for the involvement of English Heritage, Natural England and the Highways Authority in the planning applications process is unnecessarily bureaucratic in that they are often required to issue a 'substantive response' to an LPA even when they have no comment they wish to make. The aim is to ensure that statutory consultees are consulted in a proportionate way on those developments where their input is most valuable. Other proposals include a requirement for local planning authorities to ensure that railway infrastructure managers are notified of all planning applications where development is proposed near a railway.

3.21 The implications of these proposals locally are considered to be minimal given the relatively small number of major applications each year that require consultation with statutory consultees (excluding English Heritage). The changes proposed to consultation with English Heritage are supported as it will allow them to concentrate their resources on the heritage assets of the greatest significance and the more major proposals. There are some concerns with the general reduction in the requirements for applications to be determined by the Secretary of State where the LPA is the applicant and owner in respect of demolition in a conservation area and of listed building consent as it is considered to provide a useful, impartial checking mechanism. The city council currently notifies Network Rail of planning applications that adjoin their land.

Environmental Impact Assessment Thresholds

3.22 The government proposes raising the screening thresholds for certain types of development:

- industrial estate development (including manufacturing, trading, distribution, and transport projects): raising the existing threshold of 0.5 hectares to 5
- urban development projects (including housing): also to 5 hectares – the government has calculated that for housing schemes, based on an average housing density of 30 dwellings per hectare, the new higher threshold will equate to around 150 units.

The government considers that this will reduce the number of projects that are screened unnecessarily thereby reducing both the cost and time taken to get planning permission for these projects.

- 3.11 In Brighton & Hove, the vast majority of residential development sites are less than 0.5 hectares (ha) with almost 99% of residential completions in the period 2004-2014 were on sites less than 0.5ha. If the site size threshold was increased to 5ha, none of the residential development situated outside sensitive areas over the last 10 years would have been subject to EIA. Similarly, 89% of commercial completions in the same period were on sites less than 0.5ha and only 1.5% were on sites greater than 5ha. The EIA process has enabled some positive outcomes for the environment, which potentially would have been missed if the site size threshold had been 5ha. Therefore it is considered that the proposed thresholds for urban development do not fully take into consideration that high density development in the form of a tall building can take place on a relatively small area of land. The environmental effects of a tall building or a very high density of development could be far greater and more significant than the effects of a much smaller building on the same area of land.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 This report advises the Committee of the main proposals contained in the consultation document published by the DCLG, and potential implications for Brighton & Hove City Council. Approving and endorsing the response which was sent on 26 September to meet the deadline allows the views of the council to be taken into consideration by the government.
- 4.2 A do nothing approach is not considered appropriate in view of the potential far reaching implications of the proposals as highlighted in the response.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The council has responded to a six week public consultation exercise published by the Department of Communities and Local Government and the government consultation was available for the wider community to take part in this directly. The government has indicated that a summary of responses to the consultation will be published on the DCLG website within three months of the closing date.
- 5.2 Internal consultation with colleagues in Development Control and Highways Strategy was undertaken and their comments are included in the interim response.

6. CONCLUSION

- 6.1 The purpose of the report is to gain formal approval and endorsement of the interim response to the Government consultation seeking to streamline the planning system. Responding to this consultation allows the views of the council to be taken into consideration by the government. Whilst the interim response has been despatched to meet the consultation deadline of 26 September 2014, this was on the basis that the response be subject to approval and endorsement at Economic Development and Culture Committee.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Whilst these proposals will not result in any direct cost to the Council, there is a risk of some impact on, and reduction in, planning fee income if some of the prior approval proposals were to be implemented.

Finance Officer Consulted: Steve Barton

Date: 23/09/14

Legal Implications:

- 7.2 In order to implement the changes envisaged by the consultation document the relevant existing planning legislation would need to be amended.

Lawyer Consulted: Name Hilary Woodward

Date: 23/09/14

Equalities Implications:

- 7.3 The Government consultation document indicates that a brief summary of the impacts and benefits of the proposals are set out within the consultation document and that a final impact assessment on the proposed changes to be taken forward will be produced following the consultation. It is felt that the consultation document has not fully considered the potential long term impacts of making permanent the change of use from office, industrial and warehouse and storage uses to residential. A key concern is that the proposals will lead to loss of jobs, small businesses and skills training in the city; a potential to reduce the opportunities to secure affordable housing; and loss of retail units in local parades.

Sustainability Implications:

- 7.4 A key concern of some of the proposed changes is the potential for unmanaged loss of employment space in the city thus leading to an imbalance between homes and jobs. There is also less influence in the provision of affordable housing and amenity space requirements for these new homes. There are significant sustainability concerns in terms of transport, congestion and pollution in relation to removal of local authorities ability to set maximum parking standards. In addition some of the proposals are likely to lead to an increased need to travel to shops and jobs.

Any Other Significant Implications:

Corporate / Citywide Implications:

- 7.5 If the proposed changes are introduced there will be corporate and citywide implications which have been highlighted in the report.

SUPPORTING DOCUMENTATION

Appendices:

1. Brighton & Hove City Council Response – Technical Consultation on Planning

Documents in Members' Rooms

1. Department for Communities and Local Government - Technical Consultation on Planning, July 2014 (<https://www.gov.uk/government/consultations/technical-consultation-on-planning>)

Background Documents

none



Department for
Communities and
Local Government

Technical consultation on planning

Consultation response form

We are seeking your views to the following questions on the proposals to streamline the planning system.

How to respond to this consultation

Please email your response to the questions in this consultation by **26 September 2014** to planning.consultation@communities.qsi.gov.uk.

Alternatively you can write to:

Planning Consultation Team
Department for Communities and Local Government
1/H3 Eland House
Bressenden Place
London SW1E 5DU

When you reply please confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name,
- your position (if applicable),
- the name of organisation (if applicable),
- an address (including post-code),
- an email address, and
- a contact telephone number

(i) Your details

Name:	Helen Gregory
Organisation (if applicable):	Brighton & Hove City Council
Address:	Planning Strategy & Projects Room 407-410 Hove Town Hall Norton Road Hove
Post Code:	BN3 3BQ
Email Address:	Helen.gregory@brighton-hove.gov.uk
Telephone Number:	01273 292293

(ii) Are the views expressed on this consultation an official response from an organisation you represent or your own personal views?

Organisational response **subject to approval and endorsement at 13 November Economic Development & Culture Committee**

Personal views

(iii) Please tick the one box that best describes you or your organisation

Public Authority:

District/Borough Council

London Borough Council

Unitary Council

County Council

National Park/Broads Authority

Parish/Town Council

Other public sector (please specify)

Voluntary/Community:

Designated neighbourhood forum

- Community organisation
- Voluntary/charitable sector
- Residents Association
- Other (please specify)

Retail (A1) and Financial and Professional Services (A2) Business:

- Bank/Building society
- Estate agent
- Professional service
- Betting shop
- Pay day loan shop
- Existing A1 retail/shop
- Other A2 (please specify)

Other:

- Land Owner
- Developer/House builder
- Developer association
- Professional institute/professional e.g. planner, consultant
- Professional Trade Association
- Local Enterprise Partnership
- Other (if none of the options in the lists above apply to you, please specify here)

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1. Neighbourhood planning

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on neighbourhood planning?

Yes No

Time limit for taking decisions on the designation of a neighbourhood area

Question 1.1: Do you agree that regulations should require an application for a neighbourhood area designation to be determined by a prescribed date? We are interested in the views of local planning authorities on the impact this proposal may have on them.

Comments

The setting of a 'prescribed date' for all neighbourhood area applications is not supported.

A set time period for deciding such applications from forums or multiple parishes could be problematic, raise a community's expectations and could undermine good relations between communities and the Local Plan Authority (LPA). Whilst an indicative time period (if not the removal of the need to apply) could be set for single parish applications where the parish falls entirely within one local planning authority (eg does not fall in part within a national park and other LPA), in all other respects alternative approaches are likely to be more beneficial.

The following bullets set out the key objections:

- The legislation requires a neighbourhood area be designated (in whole or part; as one or more areas) where a valid application has been made. This assumes a neighbourhood area can be designated if only 21 unelected people seek designation irrespective of the views of the rest of the community within the area. This should be removed if a 'prescribed date' is to be introduced to enable the LPA ability to refuse a neighbourhood area application which has received significant objection and is not supported by the general community OR the minimum 21 forum members should be increased so that community support is evident (eg a minimum of a quarter/third or half of the specified 'people' within the proposed neighbourhood area). Otherwise the introduction of a 'prescribed date' may either give rise to a failure in meeting the deadline in order to resolve disputes and reach some form of community consensus or the designation of a disputed neighbourhood area. In respect of the latter this is unlikely to be in the community's interest or make the neighbourhood planning process more effective. It may lead to competing neighbourhood forum applications. These may be refused leading to delay in the neighbourhood planning process or the

designation of a forum that does not have the support of its community and thus a lack of support for any subsequent plan.

- Whilst in many authorities the Executive may have delegated decisions on these designations to others in the authority this is not true for all LPA's who need to designation applications to be considered by Committee. Recent experience at BHCC has indicated 6 months to be the earliest a designation is likely to be made.
- It should be acknowledged neighbourhood planning is not a 'quick fix' solution to planning issues within an area. A more productive approach to 'quicken up' the process would be to provide guidance which indicates realistic timeframes for each stage. An onus should be placed on forums to obtain wide spread support from the community within the whole proposed area before submitting an application because objections to an application often arise from people who were not aware of the proposals and therefore do not feel their views are represented within the proposed area.
- The cost of resourcing neighbourhood planning needs to be better acknowledged by central government. The Officer time requirements in respect of supporting and assessing the application process and providing expertise and advice to neighbourhood planning groups has been underestimated. If the government wishes to speed up the neighbourhood planning system and place more onus on the local planning authority to achieve ambitious time limits then it needs to ensure continued financial support is available to local government.

Other key issues of relevance:

- There may not be sufficient detail on a forum to determine whether it is a qualifying body. If a time period is introduced then it needs to be clear it does not start from the date of submission but that it starts from the date the application is validated or first publicised and that the submitting body must submit all necessary information alongside a neighbourhood area application to demonstrate it is a qualifying body.
- The eligibility of the submitting body may come into question during consultation. In view of the legislation which requires a neighbourhood area be designated following the submission of an application the setting of a 'prescribed date' could be fraught with legal issues.
- If the consultation period is retained then there needs to be recognition the 'prescribed date' does not have to be met if the application is subject to significant objection. Indeed it could be in the community's interest to delay determination in order to resolve a dispute or explore issues raised in consultation responses. If a time limit is introduced this may hinder effective engagement and could undermine the objectives of neighbourhood planning.
- This consultation does not confirm what penalties will be incurred if the LPA fails to meet the prescribed date. In view that there is not an appeals process, to which proposals could be passed when the prescribed date is missed, the 'penalties' need to be clear. It is not considered the penalty should be financial (as indicated in paragraph 1.16) or 'designation as submitted' (as indicated in paragraph 1.18). Indeed non-determination within a prescribed timeframe is more likely to arise when the area is met with a lack of community support, it would therefore be perverse for such areas to automatically be designated. A reduction in funding for LPA that fail to meet the deadline is likely to favour the

LPA's that are largely parished because such applications tend to be less contentious and quicker to determine and penalise the LPA's who have to undertake additional work to resolve disputes and amend boundaries.

- Placing additional sanctions upon LPA's potentially places an undue onus on a LPA to resolve community disputes and may increase forums 'blaming' the LPA rather than actively seeking community engagement and resolution. A forum must recognise the responsibility for gaining support for its proposals rests with them.

Question 1.2: If a prescribed date is supported do you agree that this should apply only where:

- i) the boundaries of the neighbourhood area applied for coincide with those of an existing parish or electoral ward; and
- ii) there is no existing designation or outstanding application for designation, for all or part of the area for which a new designation is sought?

Comments

The introduction of a prescribed date is not supported.

However should one be introduced it is felt it should only apply to a neighbourhood area that coincides with the boundaries of a single parish within just one LPA area and submitted by the Parish Council for the area. If a prescribed date is to be introduced for electoral wards then the second bullet is supported subject to it being made clear that 'outstanding application' also includes the submission of any subsequent application prior to designation.

An additional exception should be included which states "Forum membership is demonstrated to be genuine and is greater than the number of objectors" (for example names and addresses of all forum members could be required). The key reasons for the lack of support for the introduction of a prescribed date for electoral wards are similar to those detailed in 1.1 above and:

- A parish is covered by a 'qualifying body' whilst electoral wards are not. In general Parishes are rural and cover recognisable village communities whilst electoral Wards tend to be urban where the boundaries can be less recognisable and can cut through 'neighbourhoods'. Parishes and electoral wards for the purposes of neighbourhood planning should not therefore be considered the same. Electoral wards do not normally define local communities but are drawn based on achieving an even population split. The designation of an electoral Ward, within an urban location, as a neighbourhood area is much more likely to be subject to significant objection in respect of what forms a 'neighbourhood' area boundary.

Question 1.3: If a date is prescribed, do you agree that this should be 10 weeks (70 days) after a valid application is made? If you do not agree, is there an alternative time period that you would propose?

Comments

If a prescribed date is to be introduced it is considered it should be longer than 10 weeks. Indeed paragraph 1.12 in the consultation document indicates the average timescale for designation is 4-5 months (126 days/18 weeks) whilst some have taken over a year to determine (400 days/57 weeks) at the same time it highlights that many authorities have delegated such decisions. It is not clear what the average is for authorities with delegated powers versus those without.

The time period depends on the type of applications it is to be applied to. As a minimum the time period should be 12 weeks to enable the consultation period to run for longer than the minimum 6 weeks during national holiday periods and time to analyse representations and where necessary help to resolve disputes. However in view of the average time period and the benefits of ensuring a community supports the proposal 20 weeks would be more appropriate and manage 'expectations'.

A prescribed date approach needs to take into account appropriate timelines for committee decisions where a LPA has chosen not to designate under delegated decision making powers.

As raised in response to 1.1, it must be clear when the time period is to start. If it is to apply to electoral wards it is suggested the start date should be when the application is validated or first publicised. In addition to this, outside of parishes, the submitting body must be required to submit all necessary information alongside a neighbourhood area application to demonstrate it is a qualifying body (alternatively amend guidance/legislation to require that an area and forum application have to be submitted together). It is also suggested an additional requirement should be placed on the submitting body to ensure they have consulted the community. (For example an application should only be submitted after the submitting body has leafleted everyone within the area about the proposed application and where support and forum membership combined outnumber any objection received).

Given that a deadline is more likely to be missed where an application proves to be contentious the potential penalty indicated in paragraph 1.16 in the consultation document, eg a reduction in funding to the LPA, appears perverse unless the legislation is amended as indicated in the response to 1.1 above and/or caveats are included (eg amended so that an can just be refused or forum membership a proportion of those in the area). A LPA should not be penalised for delaying a designation in order to find the most appropriate solution when substantial objections are received.

Brighton & Hove City Council object to the further measures indicated in paragraph 1.18 in the consultation document (eg automatic designation upon non determination within deadline) if this is introduced without an amendment to the legislation to remove the requirement to designate a neighbourhood area (in full or

part, as one or more areas) once an application has been submitted. This could result in overlapping and duplicate areas being 'unlawfully' designated and a forum of 21 members obtaining area designation even when the wider community does not support the proposal (in view that most electoral wards in Brighton & Hove have around 10,000 residents this appears to conflict with the principles of neighbourhood planning). It could perversely de-incentivise small forums from consulting the wider community prior to submitting area applications in the knowledge that something has to be designated even if the wider community object. This could result in a forum consisting of 21 members submitting an area application without any community engagement.

Question 1.4: Do you support our proposal not to change the period of six weeks in which representations can be made on an application for a neighbourhood area to be designated? If you do not, do you think this period should be shorter? What alternative time period would you propose?

Comments

- The current requirement for a minimum of 6 weeks consultation is considered reasonable and consistent with other development plan type consultations. It should not be shortened or amended. It is important flexibility is retained to ensure sufficient time is provided to undertake proper consultation so that:
 - The consultation time period can be extended should the application be submitted during a national holiday period
 - If a time period for determination is to be introduced sufficient time must be allowed to enable the LPA to analyse representations should it be subject to significant objection
- If the intention is to speed up the process and parishes are nationally considered to form appropriate neighbourhood areas then, in view that parish councils are the qualifying body and do not need to be formally designated, the need to formally apply could be removed for single parish / parish boundary proposals. The application could be replaced by a notification letter to the LPA stating the Parish Council is undertaking neighbourhood planning and that the Parish boundary forms the neighbourhood area. Both the LPA and Parish Council could then be required to publicise the neighbourhood area on their websites.
- If the intention is to speed up the process and electoral wards are nationally considered to form appropriate neighbourhood areas then the guidance should make this clearer, however:
 - Electoral Wards should retain a minimum consultation period because they tend to be less widely recognised areas and require the formation of a new qualifying 'neighbourhood forum' which may not give rise to support and can be subject to significant objection. The community may wish to progress two or more neighbourhood areas within one electoral ward especially in Brighton and Hove where the population within a ward is approximately 10,000.

Further measures

Question 1.5: We are interested in views on whether there are other stages in the neighbourhood planning process where time limits may be beneficial. Where time limits are considered beneficial, we would also welcome views on what might be an appropriate time period for local planning authority decision taking at each stage.

Comments

No comment

Pre-submission consultation

Question 1.6: Do you support the removal of the requirement in regulations for a minimum of six weeks consultation and publicity before a neighbourhood plan or Order is submitted to a local planning authority?

Comments

No, Brighton & Hove City Council does not support the removal of the pre-submission consultation. In view that a neighbourhood plan performs the same function of land allocation as a local plan, it should be on a similar footing regarding consultation stages to a local plan (notwithstanding the referendum). Unless there is an explicit requirement upon the community to undertake a consultation on the draft Neighbourhood Plan or Order with a requirement to send a copy to the LPA it is likely to hinder the quality of the submitted plan or Order and increase challenges relating to strategic environmental assessment and/or Habitat Regulations.

As raised in the consultation the qualifying body is expected to undertake consultation and submit a consultation statement it is not therefore felt this formal pre-submission consultation is unduly onerous. It helps to highlight the importance of consultation. Many neighbourhood plans have been significantly changed between the pre-submission stage and submission stage in order to include community views and to resolve conflicts with strategic policies. It helps to make a more robust neighbourhood plan going forward to examination. If this stage is removed it is likely to reduce the support for the submitted plan and increase objections relating to conflicts with strategic policies.

As a minimum a Forum should have 21 members from within the area it therefore has good capacity to undertake the pre-submission consultation (all members likely to belong to a number of local networks, greater capacity than a LPA which may have one officer working on neighbourhood planning)

The pre-submission stage is key in ensuring EU obligations are being met. If they

are not being met then it enables this to be resolved prior to submission eg screening invited and/or acts as a process to show options considered if full SEA needed.

The matters and basic conditions that an independent can considered are limited so unless the matters for the examiner are changed they could have significant representations at submission raising relevant matters affecting the outcome of a subsequent referendum that fall outside the remit of the examiner.

Question 1.7: Do you agree that responsibility for publicising a proposed neighbourhood plan or Order, inviting representations and notifying consultation bodies ahead of independent examination should remain with a local planning authority? If you do not agree, what alternative proposals do you suggest, recognising the need to ensure that the process is open, transparent and robust?

Comments

Does not need to be the LPA but recognise it reduces/removes the risk of challenge to a PC/forum that may overlook consulting for example a statutory consultee. If there is to be one regulated consultation period on a neighbourhood plan and the LPA is take the lead there must be an explicit requirement on the qualifying body to provide the contact details of all respondents to their consultation and for raising awareness of the consultation and invitation to submit representations.

Consulting landowners

Question 1.8: Do you agree that regulations should require those preparing a neighbourhood plan proposal to consult the owners of sites they consider may be affected by the neighbourhood plan as part of the site assessment process? If you do not agree, is there an alternative approach that you would suggest that can achieve our objective?

Comments

Do not agree the regulations should require those preparing a neighbourhood plan proposal to consult the owners of sites they consider may be affected. This opens the 'qualifying body' up to legal challenge. Some owners do not have clear contact details or may not engage with a neighbourhood plan with proposals they disagree with. This will enable them to challenge the plan on the basis they were not consulted eg an unreasonable onus would be on the qualifying body to 'demonstrate' the owner 'received' a consultation letter.

Whilst guidance should instruct that every effort should be made to consult all owners of sites that may be affected especially sites to be designated this should not be requirement in legislation. Indeed anyone, both freeholders and leaseholders, within the area could be affected by the neighbourhood plan. If this becomes a

requirement then land registry should be required to provide the necessary information free of charge.

A requirement could be that the qualifying body must consider all proposals from landowners to develop their land and provide a rationale for any exclusions.

Question 1.9: If regulations required those preparing a neighbourhood plan proposal to consult the owners of sites they consider may be affected by the neighbourhood plan as part of the site assessment process, what would be the estimated cost of that requirement to you or your organisation? Are there other material impacts that the requirement might have on you or your organisation? We are also interested in your views on how such consultation could be undertaken and for examples of successful approaches that may have been taken.

Comments

No comment – except to note the comment above that if this becomes a requirement then there should be a requirement placed upon land registry to provide the necessary information free of charge.

Introducing an additional basic condition to test the extent of consultation

Question 1.10: Do you agree with the introduction of a new statutory requirement (basic condition) to test the nature and adequacy of the consultation undertaken during the preparation of a neighbourhood plan or Order? If you do not agree, is there an alternative approach that you would suggest that can achieve our objective?

Comments

Support the introduction of the proposed new statutory requirement which should also include a requirement to take responses into account when preparing the final plan, especially if the pre-submission consultation is to be removed. This could be included within the consultation statement.

Strategic Environmental Assessment

Question 1.11: Do you agree that it should be a statutory requirement that either: a statement of reasons, an environmental report, or an explanation of why the plan is not subject to the requirements of the Strategic Environmental Assessment Directive must accompany a neighbourhood plan proposal when it is submitted to a local planning authority?

Comments

Partially agree.

Agree with the proposal that it should be a statutory requirement to provide either a statement of reasons (determination report) or an Environmental Report. The need to consider whether the SEA Directive applies to Neighbourhood Plans is not clear or explicit in the current Neighbourhood Planning Regulations. Having the statutory requirement within the Regulations to either submit a screening report which states why an SEA is not required, or submit an SEA at stage of submission to the LPA would clearly set out this requirement

However, by only requiring this at submission stage may result in a screening or SEA that is carried out once the plan has already been produced and therefore does not inform the plan's development. See also, response to question 1.2 below.

Do not agree with the third potential scenario: "to provide an explanation of why the plan is not subject to the requirements of the Strategic Environmental Assessment Directive" for the reasons detailed below.

The Environmental Assessment of Plans and Programmes Regulations 2004 Regulation 2 states that a plan or programme is subject to the provisions of the SEA Directive if (a) it is subject to preparation or adoption by an authority at local level, and (c) it is required by legislative, regulatory or administrative provisions.

Neighbourhood Plans meet the requirement of Regulation 2 (a) as they are adopted by an authority at local level. With regards to Regulation 2 (c), reference to Paragraphs 24 to 32 of the Bruxelles Judgement 22.03.2012 for case C-567/10 should be made. This judgement indicates that the wording "required by" should be interpreted as "regulated by" meaning that plans which are not compulsory fall under the jurisdiction of the Directive. This includes Neighbourhood Plans which are not compulsory, but are regulated by legislative and regulatory provisions.

In accordance with this judgement and interpretation, Neighbourhood Plans will always be subject to the requirements of the SEA Directive and would therefore always require a screening determination in accordance with Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. There would be no occasions where the suggested scenario of "*to provide an explanation of why the plan is not subject to the requirements of the Strategic Environmental Assessment Directive*" would apply.

Question 1.12: Aside from the proposals put forward in this consultation document are there alternative or further measures that would improve the understanding of how the [Environmental Assessment of Plans and Programmes Regulations 2004](#) apply to neighbourhood plans? If there are such measures should they be introduced through changes to existing guidance, policy or new legislation?

Comments

Clear guidance/legislation as to when a screening (determination) should be carried out is needed. Also, guidance which indicates that a screening may need to be carried out at various stages is also needed (e.g. in the case where an initial screening indicated an SEA was not required, but major changes to the objectives or proposals put forward in a plan took place which increased the likelihood of significant environmental effects).

Clear guidance as to when an SEA should be carried out is needed and would help to clarify that an SEA should be carried out alongside and inform the plan preparation. The current requirement under Regulation 15 (2) (d) of the Neighbourhood Planning Regulations for a Neighbourhood Forum to submit a statement which explains how they have met the basic conditions (e.g. it is compatible with EU obligations including the SEA Directive) at submission stage is too late and could result in an SEA being carried out after the plan has been produced. The requirement to carry out an SEA, if required, should be earlier in the regulations e.g. at pre-submission stage.

Further guidance as to the types of scenarios whereby Neighbourhood Plans are being subject to Judicial Review on the grounds of non-compliance with the SEA Directive would be helpful.

Further measures

Question 1.13: We would like your views on what further steps we and others could take to meet the Government's objective to see more communities taking up their right to produce a neighbourhood plan or neighbourhood development order. We are particularly interested in hearing views on:

- stages in the process that are considered disproportionate to the purpose, or any unnecessary requirements that could be removed
- how the shared insights from early adopters could support and speed up the progress of others
- whether communities need to be supported differently
- innovative ways in which communities are funding, or could fund, their neighbourhood planning activities.

Comments

Brighton & Hove City Council can see there is merit in exploring amendments in respect of parishes. In view that Parish Councils are the only qualifying bodies within parishes then the amendments could recognise not only Parish Councils as a 'qualifying body' but also the Parish boundary as a 'qualifying neighbourhood area'. Thus removing the need for a Parish Council to apply to have its Parish boundary designated a neighbourhood area. However it is not considered the same recognition should be given to electoral wards because they are not covered by a

'qualifying body'.

Question 1.14: Are there any further comments that you wish to make in response to this section?

Yes No

Comments

2. Reducing planning regulations to support housing, high streets and growth

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on reducing planning regulations to support housing, high streets and growth?

Yes No

Increasing Housing Supply

Question 2.1: Do you agree that there should be permitted development rights for:

(i) light industrial (B1(c)) buildings and

Yes No

(ii) storage and distribution (B8) buildings to change to residential (C3) use?

Yes No

Comments

There are serious concerns about the further erosion of the council's ability to maintain a supply of needed employment land; the detrimental impact on established business/ industrial parks through piecemeal change of use and the quality and standard of living accommodation likely to be created.

Through a plan-led, managed approach to loss of such employment sites, those that are poorly located, of poor quality and clearly redundant for modern employment use are released to alternative uses with the majority redeveloped for residential use.

Monitoring figures for the period 2000/01 to 2011/2012 show an average annual loss of B1c, B2 and B8 of c. 4,200 sqm. Whilst the majority went to residential there were also conversions to other employment uses (health, education for example).

However, the city does not have a large stock of older industrial sites or premises. Indeed recent evidence points (Employment Land Study Review 2012) to a particularly tight industrial market with a market perception that there is limited spare capacity. Given the demand for industrial space in the city, there is an increasing pressure on the remaining space to accommodate the City's economic activity. In light of the positive, modest forecast requirement and market demand for

new industrial floorspace the approach in the Submission City Plan is to safeguard key industrial estates and premises. Removing the LPA's ability to maintain this supply of industrial space is not considered to be sustainable and would risk harming activities which form an important part of the city's functioning economy. This would be contrary to aspirations for the Greater Brighton City Region where a stated priority is to create attractive employment space for businesses to grow and thrive.

There would be a loss of affordable workspace which is important to support spin-off, start up and smaller businesses as well as businesses that support the city's service-based economy. Furthermore, some of the identified growth sectors the City is seeking to expand and attract (eg environmental technologies) through City Deal/ City Region programmes and strategies will require industrial premises.

This additional permitted development right would remove any incentive for landowners to invest and retain light industrial/ storage and warehousing premises in an authority where the difference in land values for residential use in Brighton & Hove against those for industrial/ storage uses is so significant.

The unplanned introduction of residential uses into industrial estates is likely to compromise the operation of these industrial areas and hinder the ability of businesses to operate successfully/ expand. Extending permitted development rights could for example hinder the operation and development of waste management facilities. Many modern waste management facilities are light industrial in nature and can be appropriately located close to B1 uses, whilst retaining a 'sui generis' classification. However they may not be suitable for locations proximate to residential dwellings. Allowing more residential developments in areas previously in light industrial use may reduce the number of appropriate sites for the new waste management development that is required to increase rates of recycling and recovery of waste, as well as potentially causing problems for existing facilities through the closer proximity to residential properties – a land use more sensitive to impacts such as noise, odour, dust etc..

It is not clear that this permitted development will achieve the aim set out in paragraph 2.28 of the consultation document: 'to make the best use of existing underused light industrial, storage and distribution buildings to create much needed new homes.' Whilst the city has seen historic factory buildings/ mews successfully converted to mixed use development (eg Maynards sweet factory; Argus Lofts etc) it is difficult to see how the largely low density/ post 1960s purpose built sheds can be as easily converted to residential use or represent the most efficient use of scarce brownfield sites and some of these sites would be in locations not particularly suited to residential use. It is not considered that the prior approval process would adequately ensure that a high standard of residential amenity for new residents is created and the associated amenities and infrastructure are sufficiently addressed.

There is also a concern that prior approval process will be used as a stepping stone for the redevelopment of employment sites which by-pass important policy consideration (e.g. affordable housing and the provision of open space).

Question 2.2: Should the new permitted development right:

- (i) include a limit on the amount of floor space that can change use to residential
- (ii) apply in Article 1(5) land i.e. land within a National Park, the Broads, an Area of Outstanding Natural Beauty, an area designated as a conservation area, and land within World Heritage Sites and
- (iii) should other issues be considered as part of the prior approval, for example the impact of the proposed residential use on neighbouring employment uses?

- | | | |
|-----------------------------------|---|--|
| (i) limit on floor space | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (ii) apply in Article 1(5) land | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (iii) other prior approval issues | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

Comments

Regarding part (i) whilst a floor space threshold could be seen as a way of managing the loss of employment floorspace, small industrial units are needed to support small and medium sized enterprises and start up businesses.

Regarding part (ii) of this question, such land requires careful management to ensure that inherent qualities are protected and enhanced.

Regarding part (iii) of this question – yes the impact of a proposed residential use on existing and proposed neighbouring employment uses should be considered, including sui generis uses which provide employment. Further, consideration must also be given to residential amenity and local infrastructure requirements if these are large sites. However additional prior approval considerations call into question the appropriateness of dealing with change of use applications through a prior approval process.

Neighbour notification process also seen as essential.

Question 2.3: Do you agree that there should be permitted development rights, as proposed, for laundrettes, amusement arcades/centres, casinos and nightclubs to change use to residential (C3) use and to carry out building work directly related to the change of use?

- Yes No

Comments

Where there is no longer demand for such uses, redevelopment of sites/ premises to residential can be appropriate in certain circumstances. But given the nature of premises and the location of these types of uses, a full planning application approach is considered most appropriate otherwise it is considered that an unmanaged approach could undermine the vitality and viability of shopping centres.

With regard to change of use of casinos/ night clubs/ amusement arcades. These tend to be found in clusters of night time economic activities, which are part of the vitality and viability of seaside towns/ cities. This role could be undermined through the unplanned introduction of residential uses where there are clusters of casinos and nightclubs (e.g. West Street, Brighton, the seafront).

Unclear why launderettes are included in this permitted development right. They provide essential services to some heavily flatted areas/more deprived areas and can act as community hubs for some areas. Change of use to residential could also undermine the viability of the shopping frontage where laundrettes typically found.

Question 2.4: Should the new permitted development right include:

(i) a limit on the amount of floor space that can change use to residential and

Yes No

(ii) a prior approval in respect of design and external appearance?

Yes No

Comments

Yes a size threshold should be included. Given the size and nature of the majority of amusement arcades/centres, casinos and nightclubs, prior approval in respect of design and external appearance would be essential. Along with the need to consider the impact of introducing noise sensitive uses on established neighbouring businesses where these are clustered. The prior approval criteria should take into account the impact of the proposal on the sustainability of the retail centre. However with the additions of these considerations it is difficult to see the benefits of a prior approval approach over a full planning application.

Question 2.5: Do you agree that there should be a permitted development right from May 2016 to allow change of use from offices (B1(a)) to residential (C3)?

Yes No

Comments

Disagree. The council has serious concerns with the government's proposed intention of making the current temporary permitted development rights permanent and the lack of rationale for removing the current exemptions. There is insufficient evidence provided by the government through this consultation on the impacts of the current temporary permitted development rights.

Recent analysis from the RICS (UK Commercial Market Survey Q2 2104) shows that the amount of commercial space across the UK has declined at its fastest rate in 16 years through the temporary permitted development right particularly in the south east. The potential longer term impact on city/town centres needs close monitoring before this permitted development right is made permanent and this information provided as part of a meaningful consultation exercise.

Monitoring in Brighton & Hove has shown that between 1 June 2013 and 31 March 2014 there were 61 prior approval applications, if all those approved were implemented it would lead to a loss of nearly 14,600 sq m of office space. This is four times the annual average rate of office losses in recent times.

The council is concerned with the long term impact of the unmanaged loss of offices. Evidence clearly demonstrates that city centres such as Brighton are critical to private sector job growth. There is therefore a real need to ensure that office space is genuinely redundant, so that the employment role of cities is not compromised.

These permitted development rights undermine the effectiveness of local plan policies which can not be taken into account in prior approval applications; they remove the ability to negotiate s106 agreements to mitigate the impact of a scheme. Affordable housing and other needs generated by such proposals need to be appropriately considered – schools, health needs etc are not being adequately addressed. Furthermore the prior approval process does not allow for the appropriate consideration of amenity issues and the quality of accommodation created.

It is likely that members of the community will be increasingly frustrated with these changes as residents will have no say.

Question 2.6: Do you have suggestions for the definition of the prior approval required to allow local planning authorities to consider the impact of the significant loss of the most strategically important office accommodation within the local area?

Yes No

Comments

These proposed changes would lead to approach that is neither a plan led approach nor a light touch prior approval process.

The council has serious concerns about how the 'most strategically important' be adequately defined/ assessed within permitted development rights to provide

sufficient clarity and consistency at a local level. The cumulative loss of small local office accommodation serving local needs/ start up businesses may be a strategic issue for many local authorities as much as protecting headquarter offices on established business parks/ town centres.

To be meaningful and consistent, local planning authorities need to be allowed to assess loss of employment space against strategies for employment land/ economic growth set out in their adopted Local Plan/ economic strategies. This would allow for those office sites/ office areas identified and safeguarded through Local Plans because they have been assessed as suitable and needed to meet the needs of modern employment to be retained.

The well-established approach of an office being vacant for a certain period of time, submitted evidence of an appropriate marketing campaign and lack of reasonable offers would appear to be a consistent and appropriate approach in the consideration of economic impact.

Question 2.7: Do you agree that the permitted development rights allowing larger extensions for dwelling houses should be made permanent?

Yes No

Comments

Disagree, the amenity impacts of larger extensions allowed are not fully considered under prior approval. Amenity is only currently considered if neighbour objections are not received within the appropriate time period. This does not safeguard the amenity of future residents of adjoining properties, or those of existing residents if they chose not to comment or do not have the opportunity to comment, as there is no objective assessment by the LPA.

Supporting a mixed and vibrant high street

Question 2.8: Do you agree that the shops (A1) use class should be broadened to incorporate the majority of uses currently within the financial and professional services (A2) use class?

Yes with caveats No

Comments

Whilst there are some benefits of a broadened use class there are concerns with the potential for clustering of one particular use which can undermine the vitality of shopping areas. For example in the case of Brighton & Hove, with a large student and private rental population, shopping frontages (such as Lewes Road District Centre and London Road Town Centre) can become dominated by estate agents rather than a range of services. Current frontage policies in adopted plans ensure that one particular use does not dominate.

Over-concentration of certain shop types makes high streets less appealing. In the case of other current A2 uses such as banks and building societies, we welcome their inclusion in the A1 use class as an essential service for the high street. Consider that the government should ensure that it is stipulated that 'a display window is maintained' for all that fall under A1 use class to ensure consistency on the high street.

Question 2.9: Do you agree that a planning application should be required for any change of use to a betting shop or a pay day loan shop?

Yes No

Comments

Welcome this proposal. The city council was increasingly concerned with the lack of powers available to act on community concerns such as the clustering of high streets with payday lenders or betting shops.

Requiring change of use applications is considered appropriate particularly as these types of shops can open up in succession to one another and can be seen to exploit lower income areas. Further, over-concentration of certain shop types makes high streets less appealing. The NPPF should be amended to make clear that local authorities can control the clustering of betting offices/ pay day loan shops in local plans where this is justified.

Localism should be about giving local authorities greater influence in shaping local high streets on behalf of their residents. This proposal would allow for the proper consideration of an application for a change of use instead of the unsatisfactory situation at present where local views very often cannot be taken into account.

Keeping betting shops/ pay day loan shops in their own use class would mean that local authorities can more easily keep check on the number of betting shops in their shopping centres.

Question 2.10: Do you have suggestions for the definition of pay day loan shops, or on the type of activities undertaken, that the regulations should capture?

Yes No

Comments

Any definition would need to be broad enough to ensure a wide range of potential pay day loans, pay day lending activities are caught but not so loose that it captures a much wider range of financial services activities that are proposed to be included in the proposed broadened A1 use class.

The government should consider whether the definition of financial services within the broadened A1 use class needs to be more carefully defined. Such a definition needs to address the potential difficulties with businesses who might provide pay day loans as a secondary or ancillary activity which may not be captured.

Suggest:

Business that loans money, typically high cost short term credit, to visiting members of the public solely or alongside a range of products or services, such as pawn broking, cheque cashing, money transfers, foreign exchange and/or other financial services or a combination of these.

Question 2.11: Do you agree that there should be permitted development rights for:

(i) A1 and A2 premises and

Yes No

(ii) laundrettes, amusement arcades/centres, casinos and nightclubs to change use to restaurants and cafés (A3)?

Yes No

Comments

There needs to be an adequate opportunity for local planning authorities to ensure that shopping frontages particularly primary frontages of town centres have a range of shopping uses and that these are not dominated by A3 uses.

It would also be useful if the use of Coffee Shops were clarified, should they be considered to be A1 or A3 in use class? There are differences in interpretation by particular businesses and across different local authorities – this should be addressed.

These proposed permitted development rights would be subject to a prior approval process including limiting them to premises are less than 150sqm; neighbour notification (although consideration of impact should not be limited to whether

neighbours object) and whether loss would have an adverse impact on the shopping centre.

However this is not considered to be light touch approach and the prior approval fee does not cover the work needed to consider such a prior approvals.

Question 2.12: Do you agree that there should be permitted development rights for A1 and A2 uses, laundrettes, amusement arcades/centres and nightclubs to change use to assembly and leisure (D2)?

Yes No in part.

Comments

Disagree with the need to specifically include laundrettes in these permitted development rights, as they are largely small scale units providing a valuable local service.

Would support the proposal regarding change of use of amusement arcades/centres and nightclubs to D2 particularly in town centres. Prior approval will be important to ensure amenity, car parking aspects etc are taken into account where these may be located close to residential properties and congested areas.

Supporting retail facilities

Question 2.13: Do you agree that there should be a permitted development right for an ancillary building within the curtilage of an existing shop?

Yes No

Comments

Approach seems sensible in supporting the development of click and collect services however concern is raised over the location of some of these ancillary buildings and the lack of appropriate conditions restricting vehicular movements and deliveries creating noise in certain residential areas.

Question 2.14: Do you agree that there should be a permitted development right to extend loading bays for existing shops?

Yes No

Comments

The proposals for allowing existing loading bays to be increased by no more than 20% seems a sensible suggestion in certain circumstances i.e. where multiple supermarket retailers have moved towards smaller format stores on the high street, rather than in out of town locations. These smaller format stores do not always require planning permission so do not have associated infrastructure for associated loading bays. Consequently lorries delivering goods do not always have adequate space for unloading and sometimes the unloading spaces they choose are not always in safe locations for pedestrians, cyclists and other road users. Such a proposal from the government may remedy some situations.

However there needs to be further consideration as to the type and location of new loading bays which would also be allowed through these permitted development rights and whether there would be sufficient safeguards to ensure they are sited in appropriate locations with regard to pedestrians, cyclists and other road users.

Question 2.15: Do you agree that the permitted development right allowing shops to build internal mezzanine floors should be increased from 200 square metres?

Yes No

Comments

Agree, but no more than 1,000 sqm in size due to potential impacts if out of centre – which is the location of larger floorplate stores in Brighton & Hove. Town centre stores should not require a threshold and should be supported.

Question 2.16: Do you agree that parking policy should be strengthened to tackle on-street parking problems by restricting powers to set maximum parking standards?

Yes No

Comments

Comments on introductory narrative

The Government consultation includes an introductory narrative plus the specific question on maximum parking standards. There are points raised in the narrative which the City Council, in its role as Local Highway Authority wishes to comment on.

The narrative states that the Government encourages local authorities to improve the quality of parking in town centres and where it is necessary to ensure the vitality, the quantity too. The Council agrees that the quality of parking facilities is essential

to ensure the users experience is positive and safe. It has recently made improvements to the quality of provision of four public car parks within the city centre to the approximate value of £4 million. However, the council's approved City Plan Part One, submitted for Examination in Public, includes Policy CP9 on Sustainable Transport which states that there will be no enlargement of public parking provision in central Brighton. This policy reflects the impact and implication of high levels of car use on the economy, in terms of congestion, and the city centre environment. The council therefore intends to manage its existing public parking through other mechanisms, such as charging. The overall approach to parking management in its widest sense will have an effect on the city's vitality and based on the 2014 Centre for Cities 'Cities Outlook' publication, Brighton & Hove has matched London and Edinburgh in leading the UK out of the economic recession. The council's approach to parking and transport is therefore making a positive contribution to such a result.

The narrative continues to state that the Government wants to understand whether local authorities are stopping builders from providing sufficient parking space to meet demand. Within Brighton & Hove, developers are not prevented from putting forward the level of parking they require, but such provision is often limited by site or ground constraints. Current development standards do include maximum levels to ensure parking does not impact negatively on the city's particular natural and built environments, or road system. Many developers, especially in central areas, choose to achieve higher densities and greater provision of amenity space rather than providing on-site car parking. In areas that benefit from good access to public transport, which the city excels at providing, and complementary on-street parking controls, this would not be considered to warrant a refusal of planning permission on transport grounds.

A final point made within the narrative, is that the Government wishes to ensure that local authorities in their Local Plans have reviewed their parking policies and brought them up to date. The council agrees that this is an important element of developing LDFs and its approved City Plan Part 1 Submission includes a clear commitment within Policy CP9 to update the Council's parking standards and provide new guidance on parking; and this work is currently underway.

Question 2.16: Do you agree that parking policy should be strengthened to tackle on-street parking problems by restricting powers to set maximum parking standards?

Brighton & Hove City Council, in its role as Local Highway Authority does not consider that parking policy should be amended to restrict Local Authority powers to set maximum parking standards. The Highway Authority is of the view that Local Authorities are best placed to determine what the appropriate level of parking is for their locality. This reflects the Government position as detailed in the letter by the Communities & Local Government Chief Planner to Local Planning Authorities dated 14/01/2011. This letter followed the ministerial announcement that outlined the Government's position on parking policy and changed the wording in PPG13 to remove the central requirement to express maximum parking standards. The Highway Authority recognises that PPG13 has been revoked but are of the view that Government policy in relation to parking in new developments has not changed

since 2011, as is reflected by both the National Planning Policy Framework and Planning Practice Guidance. The letter announcing the removal of the central requirement to express maximum parking standards stated that:

“The Government’s position on parking standards is that local authorities are best placed to take account of local circumstances and are able to make the right decisions for the benefit of their communities ... Local Authorities will still need to set parking standards for their areas, but it will be for them to determine what that standard should be, depending on individual circumstances.”

The Highway Authority concurs with the Government’s position in 2011 that Local Authorities are best placed to set appropriate parking standards. Parking standards should be set by Local Authorities based upon local characteristics, taking into account public transport accessibility, car ownership levels, on-street parking stress, accessibility to local facilities, the nature of the locality (ie urban, suburban, rural) and the proposed land use with a differentiation between origin and destination land uses. All these factors should be assessed by the local authority when setting appropriate standards for their communities.

Further Justification

The reasons why parking policy does not need to be strengthened and why Local Authorities are best placed to set their own parking standards are presented in the following paragraphs.

It’s important to note that in relation to parking standards one size or approach doesn’t fit all scenarios and therefore should be developed by Local Authorities based upon local characteristics. Just as how maximum car parking standards did not work for all areas, minimum standards or no maximum standards would not work in all locations. For example, in Brighton & Hove the management of both public and private parking provision forms part of the overall transport policy for the city; which is focussed on providing choice with an emphasis on measures to promote and provide sustainable forms of transport. The availability of parking, especially for destination land uses (ie non-residential) is an important factor in determining transport choice. Therefore when the management of parking provision is complemented with physical measures such as improvements to the transport network and promotional travel plan type measures this can have a positive impact and encourage people to travel in a sustainable manner.

Appropriate parking standards for a rural location are very different to that of a busy urban location. In a rural location it may not be appropriate to adopt maximum car parking standards. This could be because there are fewer public transport services and higher levels of car ownership. In these areas other potential options should be considered in order to promote sustainable forms of travel, when appropriate.

The above view is acknowledged by the Government within chapter 4 of the National Planning Policy Framework, which states, *“... the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to*

rural areas.”

The Highway Authority is also of the view that restricting the power of Local Authorities to set maximum parking standards is not necessarily the best way to tackle on-street parking problems. Maximum car parking standards do not necessarily cause overspill car parking; it is the interpretation and application of them. An alternative way to tackle on-street car parking is to assess the potential for overspill car parking as part of the planning process. If significant overspill car parking is caused from a development which leads to on-street parking problems and road safety issues, and no suitable mitigation is put forward by the applicant, then the application could be recommended to be refused planning permission by the Highway Authority.

Not only is the potential to remove the ability of local authorities to set maximum parking standards not necessary, or the best way to solve on-street parking problems, it could be detrimental to the promotion of sustainable travel and also add to congestion. This is because preventing urban authorities from controlling the level of parking in central areas for new developments would increase the availability of car parking and increase the likelihood of people driving. Therefore potentially further adding to congestion and restricting the free flow of traffic which in turn could cause delay and air pollution issues in some of the most sensitive areas of the road network.

Research undertaken by Atkins in 2008 (<http://assets.dft.gov.uk/publications/parking-standards/report.pdf>) into the application and effects of maximum parking standards found that:

- restricting parking numbers leads to a reduction in demand
- Restrictive parking policy over a long time period has had no effect upon economic development
- There is a clear link between parking availability and car use
- Maximum parking standards have encouraged the uptake of sustainable transport modes and travel plans.

Therefore, rather than restricting the power of Local Authorities to set maximum car parking standards, the best solution to address on-street parking issues is through a mixture of reducing demand for on-street parking through the provision of car clubs and assessing the potential for overspill car parking from new developments through the planning process to ensure appropriate levels of car parking are provided.

Supporting growth

Question 2.17: Do you agree that there should be a new permitted development right for commercial film and television production?

Yes No

Comments

This permitted development right is supported. The city is a popular location for filming and photography and the council is committed to balancing the economic benefits of these activities with the protection of the city environment and prevention of disturbance to local businesses and residents.

Brighton & Hove has always been a vibrant film city. From the Hove pioneers to exciting new talent, the city has been a magnet for film-makers and film production companies who delight in pushing the boundaries of how to make and show film on an international stage.

The city is a thriving centre for creative and digital talent, recognised as a driver for growth and the reason for our status as an economic 'super city'.

Film crews from all over the world are increasingly choosing to make their movies here, attracted by the landscape and diverse architecture but also by a welcoming and can-do approach from statutory services, businesses and residents.

Perhaps most importantly industry and publicly funded development agencies are working with schools, colleges and universities to foster the future of film: the film makers, producing entrepreneurs, technical talent and informed and demanding film audiences that together help to create a film culture that will help preserve and grow our film city.

Question 2.18: Do you agree that there should be a permitted development right for the installation of solar PV up to 1MW on the roof of non-domestic buildings?

Yes No

Comments

In relation to local policy for sustainability, this proposal is welcomed, as it would streamline processes for delivering renewable energy generation in the city, which is supported by local policy targets adopted in Brighton & Hove.

Local Planning Policy supports and encourages installation of renewable energy generation and technologies which seeks low and zero carbon development. The conditions that would apply under the proposals would reflect current PD rights for technologies for dwellings. These appear to have worked adequately in Brighton & Hove, and are well understood by installers.

Local Plan SU2 expects proposals to achieve a high standard of efficiency in the use of energy, water and materials. It states: 'Proposals will be required to demonstrate how the following factors have been integrated into their siting, layout and design: a). measures that seek to reduce fuel use and greenhouse gas emissions; b). the incorporation / use or the facilitation of the use, of renewable energy resources.'

The submission City Plan requires 'all development to incorporate sustainable design features to avoid expansion of the city's ecological footprint, help deliver the principles of the One Planet approach, radical reductions in greenhouse gas emissions, particularly CO2 emissions, and mitigate against and adapt to climate change.' Renewables must play a significant role in avoiding expansion in the city's ecological footprint and delivering radical reductions in carbon emissions.

In B&H there is a need to maximise all opportunities for the installation of renewables in order to meet the challenging targets set out in the Sustainable Community Strategy and One Planet Living Plan for carbon reduction and renewable energy generation. This is demonstrated by a background study undertaken for Brighton & Hove City Plan: Brighton & Hove Renewable and Sustainable Energy Study 2012 (AECOM).

The Energy Study looked at opportunities for achieving local (and national) carbon reduction targets. This explored potential carbon reduction that could be delivered through a wide portfolio of measures including retrofit, renewables and large scale energy infrastructure. The study set out targets for scenarios to achieve CO2 reduction targets, and assessed opportunities for photovoltaic installations on non domestic buildings. In one of 2 scenarios the study set a target for PV installations on Non domestic buildings at 180kWp to be installed every year between 2013-2030 and a 12MW of 'large scale' solar by 2030. The increase in PD rights may contribute to the achievement of these targets.

Question 2.19: Do you agree that the permitted development rights allowing larger extensions for shops, financial and professional services, offices, industrial and warehouse buildings should be made permanent?

Yes No

Comments

Currently the provisions require only a 2 m gap between the extension of the boundary where the premise adjoin a dwelling house – this should apply to other uses e.g schools/ hospitals which are noise sensitive uses.

Question 2.20: Do you agree that there should be a new permitted development right for waste management facilities to replace buildings, equipment and machinery?

Yes No

Comments

The principle of extending permitted development rights for waste management facilities is supported, however there should be more clarity over the particular type of process which is covered by the proposals. Allowing unrestricted PD rights for replacement equipment and machinery may not allow changes to amenity impacts to be fully considered. There are a wide variety of different processes which are covered under the umbrella term 'waste management', particularly as waste streams become more separated to achieve higher rates of recycling/recovery and as technologies evolve. These can have very different noise, odour, dust impacts etc.

Question 2.21: Do you agree that permitted development rights for sewerage undertakers should be extended to include equipment housings?

Yes No

Comments

No comment.

Question 2.22: Do you have any other comments or suggestions for extending permitted development rights?

Yes No

Comments

The consultation document illustrates the increasing complexity of the incremental changes to the permitted development rights system. If all the proposals as indicated are introduced it is considered that the opposite effect will be created; a complex and difficult to negotiate planning system, which does not assist either the development industry or businesses and a system which will does not allow local communities to be fully involved.

The experience of Brighton & Hove show that the processes around dealing with a prior notification application are similar to that of a full application, but the fee is set considerably lower meaning that the full costs are not met. If the Government intend to make more use of this procedure the fees should be set at such a level as to cover the cost.

As a result of the changes to permitted development, including the introduction of prior approvals there is less opportunity for local people, elected Councillors and the Council to shape the development of our city. This is considered to be contrary to the aims of localism.

Implementing the proposals

Question 2.23: Do you have any evidence regarding the costs or benefits of the proposed changes or new permitted development rights, including any evidence regarding the impact of the proposal on the number of new betting shops and pay day loan shops, and the costs and benefits, in particular new openings in premises that were formerly A2, A3, A4 or A5?

Yes No

Comments

Article 4 Directions

Question 2.24: Do you agree:

(i) that where prior approval for permitted development has been given, but not yet implemented, it should not be removed by subsequent Article 4 direction and

Yes No

(ii) should the compensation regulations also cover the permitted development rights set out in the consultation?

Yes No

Comments

The compensation regulations should cover the permitted development rights set out in the consultation.

Question 2.25: Are there any further comments that you wish to make in response to this section?

Yes No

Comments

See response to 2.22

3. Improving the use of planning conditions

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on improving the use of planning conditions?

Yes No

Deemed discharge for certain types of conditions where the local planning authority does not make a timely decision

Question 3.1: Do you have any general comments on our intention to introduce a deemed discharge for planning conditions?

Yes No

Comments

Increasingly the Council has been working with developers, with their approval, and negotiating to secure appropriate details to discharge conditions, particularly those relating to major developments. This has resulted in some approvals taking over 8 weeks, rather than the application being refused and further details being resubmitted in a revised application. The introduction of a deemed discharge should enable this to continue if both parties agree.

Question 3.2: Do you agree with our proposal to exclude some types of conditions from the deemed discharge?

Yes No

Where we exclude a type of condition, should we apply the exemption to all conditions in the planning permission requiring discharge or only those relating to the reason for the exemption (e.g. those relating to flooding). Are there other types of conditions that you think should also be excluded?

Comments

In these circumstances all conditions should be exempt because other condition discharge issues are often interrelated, particularly on major developments. These are often the subject of a single application to discharge more than one condition.

The exemption should also apply to contaminated land

Question 3.3: Do you agree with our proposal that a deemed discharge should be an applicant option activated by the serving of a notice, rather than applying automatically?

Yes No

If not, why?

Comments

If introduced, this should take the form of a formal notice to the LPA that can be submitted via the Planning Portal.

Question 3.4: Do you agree with our proposed timings for when a deemed discharge would be available to an applicant?

Yes No

If not, why? What alternative timing would you suggest?

Comments

Question 3.5: We propose that (unless the type of condition is excluded) deemed discharge would be available for conditions in full or outline (not reserved matters) planning permissions under S.70, 73, and 73A of the Town and Country Planning Act 1990 (as amended).

Do you think that deemed discharge should be available for other types of consents such as advertisement consent, or planning permission granted by a local development order?

Yes No

Comments

Should also apply to advertisement consent.

Reducing the time limit for return of the fee for applications for confirmation of compliance with conditions attached to planning permissions

Question 3.6: Do you agree that the time limit for the fee refund should be shortened from twelve weeks to eight weeks?

Yes No

If not, why?

Comments

Under the current proposals, a deemed discharge notice could be served by the applicant on the LPA at any time between 6 and 8 weeks from the day after the receipt of the application. If an 8 week period was introduced, this could result in the fee being returned for non-determination before the expiry of the 2 week deemed discharge notice period.

Question 3.7: Are there any instances where you consider that a return of the fee after eight weeks would not be appropriate?

Yes No

Why?

Comments

If the discharge of the condition required input from a technical consultee outside of the local authority over which the LPA has no direct influence e.g. Environment Agency, Southern Water, English Nature.

Sharing draft conditions with applicants for major developments before a decision is made

Question 3.8: Do you agree there should be a requirement for local planning authorities to share draft conditions with applicants for major developments before they can make a decision on the application?

Yes No

Comments

Question 3.9: Do you agree that this requirement should be limited to major applications?

Yes No

Comments

Question 3.10: When do you consider it to be an appropriate time to share draft conditions:

- ten days before a planning permission is granted?
- five days before a planning permission is granted? or
- another time?, please detail

Comments

5 days would fit in with the City Council’s current arrangements for major applications. Where possible, conditions are shared with applicants before the publication of the committee agenda. In any case, following the publication of the committee report it is possible for changes to conditions to be included in the late representations list which is published prior to the meeting.

Question 3.11: We have identified two possible options for dealing with late changes or additions to conditions – Option A or Option B. Which option do you prefer?

Option A Option B Neither

If neither, can you suggest another way of addressing this issue and if so please explain your alternative approach?

Comments

Option A is simpler and would not result in a delay in the determination of the application. Whilst it is obviously desirable for the applicant and LPA to be in agreement on the imposition of conditions, the LPA has the power to impose conditions that comply with the six tests set out in the NPPF. The applicant has a right of appeal against the imposition of a condition.

Requirement to justify the use of pre-commencement conditions

Question 3.12: Do you agree there should be an additional requirement for local planning authorities to justify the use of pre-commencement conditions?

Yes No

Comments

The requirement to provide additional justification for the use of a pre-commencement condition will add to the workload on the LPA in the determination of planning applications. Simplification of the process, rather than the imposition of further requirements, is required.

Question 3.13: Do you think that the proposed requirement for local planning authorities to justify the use of pre-commencement conditions should be expanded to apply to conditions that require further action to be undertaken by an applicant before an aspect of the development can go ahead?

Yes No

Comments

See comments to Question 3.12.

Question 3.14: What more could be done to ensure that conditions requiring further action to be undertaken by an applicant before an aspect of the development can go ahead are appropriate and that the timing is suitable and properly justified?

Comments

Clear guidance is required from the government to both applicants and LPAs on the imposition, wording and timing requirements of conditions.

Question 3.15: Are there any further comments that you wish to make in response to this section?

Yes No

Comments

Applicants often prefer (and request) a condition, rather than have to submit details with the planning application for reasons of reducing the timescale in determining the application and their costs at the planning application stage. Even when details are submitted with the planning application (usually external materials) some applicants have requested a planning condition requiring the submission and approval of external materials following the grant of permission. This gives the developer flexibility in the future choice and cost of materials, particularly if a particular approved material is not available when the development is constructed.

4. Planning application process improvements

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on planning application process improvements?

Yes No

Review of requirements for consultation with Natural England and the Highways Agency

Question 4.1: Do you agree with the proposed change to the requirements for consulting Natural England set out in Table 1? If not, please specify why.

Yes No

Comments

Question 4.2: Do you agree with the proposed changes to the requirements for consulting the Highways Agency set out in Table 2? If not, please specify what change is of concern and why?

Yes No

Comments

Review of requirements for consulting with English Heritage

Question 4.3: Do you agree with the proposed changes to the requirements for consulting and notifying English Heritage set out in Table 3? If not, please specify what change is of concern and why?

Yes No

Do you agree with the proposed change to remove English Heritage's powers of Direction and authorisation in Greater London? If not, please explain why?

Yes No

Comments

The aim is to avoid unnecessary consultation with English Heritage so that they can concentrate their resources on the heritage assets of greatest significance and the more major proposals. This approach is supported. The majority of the changes only really affect LPAs in London, where there has always been a bigger role for English Heritage, and the changes largely bring London into line with the rest of the country (as far as is possible without amending primary legislation). The proposal is for amendments to the consultation/ notification requirements to English Heritage and the referral arrangements to the SoS on heritage assets.

Question 4.4: Do you agree with the proposed changes to the requirements for referring applications to the Secretary of State set out in Table 4? If not, please specify what change is of concern and why.

Yes No

Comments

With regard to referrals to the SoS, the consultation again proposes to bring Greater London into line with the rest of the country. But it also proposes a general reduction in the requirements for applications to be determined by the SoS where the LPA is the applicant and owner, in respect of demolition in a conservation area and of listed building consent.

There is a concern about the proposed reduction in the requirement to refer the council's own LBC and demolition applications to the SoS. Currently all such applications are determined by the SoS, but as proposed the majority of council LBC applications for grade II buildings (and for demolition in conservation areas) would be determined by the LPA. The current role of the SoS provides a useful, impartial and checking mechanism which should be retained.

Question 4.5: Do you agree with the proposed minor changes to current arrangements for consultation/notification of other heritage bodies? If not, please specify what change is of concern and why.

Yes No

Comments

Further measure to streamline statutory consultation arrangements

Question 4.6: Do you agree with the principle of statutory consultees making more frequent use of the existing flexibility not to be consulted at the application stage, in cases where technical issues were resolved at the pre-application stage?

Yes No

Do you have any comments on what specific measures would be necessary to facilitate more regular use of this flexibility?

Yes No

Comments

Agree that for a statutory consultee not to be consulted the application proposal must be the same as at pre-application stage or incorporate amendments requested by the consultee at pre-application stage. The onus must be on the applicant to demonstrate this.

Impacts and benefits of the proposals

Question 4.7: How significant do you think the reduction in applications which statutory consultees are unnecessarily consulted on will be? Please provide evidence to support your answer.

Comments

Do not consider this would result in a significant reduction as the City Council determines a relatively small number of major applications each year (45 in 2013/14) that require consultation with statutory consultees (excluding English Heritage).

Notifying railway infrastructure managers of planning applications for development near railways

Question 4.8: In the interest of public safety, do you agree with the proposal requiring local planning authorities to notify railway infrastructure managers of planning applications within the vicinity of their railway, rather than making them formal statutory consultees with a duty to respond?

Yes No

Comments

The City Council currently notifies Network Rail of planning applications that adjoin their land.

Question 4.9: Do you agree with notification being required when any part of a proposed development is within 10 metres of a railway?

Yes No

Do you agree that 10 metres is a suitable distance?

Yes No

Do you have a suggestion about a methodology for measuring the distance from a railway (such as whether to measure from the edge of the railway track or the boundary of railway land, and how this would include underground railway tunnels)?

Yes No

Comments

The measurement should be taken from the boundary of railway land or from each wall of a railway tunnel.

Consolidation of the Town and Country Planning (Development Management Procedure) Order 2010

Question 4.10: Do you have any comments on the proposal to consolidate the Town and Country Planning (Development Management Procedure) Order 2010?

Yes No

Comments

Would welcome the consolidation of this, and other, planning legislation. There have been numerous recent complex changes to legislation. It would benefit all users of the planning system to have these set out in one document, thereby reducing timescales for finding up to date legislation and the potential for error and misinterpretation.

Measurement of the end-to-end planning process

Question 4.11: Do you have any suggestions on how each stage of the planning application process should be measured? What is your idea? What stage of the process does it relate to? Why should this stage be measured and what are the benefits of such information?

Yes No

Comments

Development management involves all stages in the development of a site, including pre-application, application, determination, planning conditions, construction, completion, occupation and, where necessary, enforcement. This is a collaboration of involvement by both developers and the LPA. For measurement to be meaningful and to demonstrate the overall timescales on the completion of a development on site, all of these stages should be incorporated.

Question 4.12: Are there any further comments that you wish to make in response to this section?

Yes No

Comments

5. Environmental Impact Assessment Thresholds

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on Environmental Impact Assessment Thresholds?

Yes No

The proposals we are consulting on

Question 5.1: Do you agree that the existing thresholds for urban development and industrial estate development which are outside of sensitive areas are unnecessarily low?

Yes No

Comments

Agree. The existing thresholds for urban development and industrial estate development outside sensitive areas are low.

Question 5.2: Do you have any comments on where we propose to set the new thresholds?

Yes No

Comments

The proposed 5ha threshold for both industrial estate development and urban development projects is considered to be too high.

The consultation paper at paragraph 5.26 suggests that average housing density is 30dph and that the new higher threshold of 5ha would therefore equate to housing schemes of around 150 units. This is not reflective of the position in Brighton & Hove. The Submission Brighton & Hove City Plan (2013) policy on Housing Density expects residential development in neighbourhood areas to be a minimum of 50 dwellings per hectare. In the Development Area policies of the City Plan, residential development is expected to be a minimum of 100dph. Should the threshold for urban development EIA screening be raised to 5ha, in Brighton & Hove this could potentially mean a residential development of around 500 houses in certain areas of the city falling outside the jurisdiction of the EIA Directive.

The new threshold for urban development does not take into consideration that high

density development in the form of a tall building can take place on a relatively small area of land. The environmental effects of a tall building or very high density development could be far greater and more significant than the effects of a much smaller building on the same area of land. These could potentially be un-assessed and undocumented if the screening threshold for urban development is based on site area alone.

In Brighton & Hove, the majority of major development sites are less than 0.5ha with almost 99% of residential completions in the period 2004-2014 on sites less than 0.5ha. The remaining 1.3% of residential completions were on sites between 0.5ha to 5ha in size. If the site size threshold was increased to 5ha, none of the residential development situated outside sensitive areas over the last 10 years would have been subject to EIA. Similarly, 89% of commercial completions in the same period were on sites less than 0.5ha and only 1.5% were on sites greater than 5ha. The EIA process has enabled some positive outcomes for the environment, which potentially would have been missed if the site size threshold had been 5ha.

Question 5.3: If you consider there is scope to raise the screening threshold for residential dwellings above our current proposal, or to raise thresholds for other Schedule 2 categories, what would you suggest and why?

Comments

For the reasons set out under 5.2, there is not considered to be any scope to raise the screening threshold for residential development above the 5ha proposed. In Brighton & Hove, the 5ha threshold is considered to be too high.

Question 5.4: Are there any further comments that you wish to make in response to this section?

Yes No

Comments

No further comment.

6. Improving the nationally significant infrastructure regime

Please refer to the relevant parts of the consultation document for narrative relating to each question.

Would you like to respond to the consultation on streamlining consents for nationally significant infrastructure projects?

Yes No

Non-material and material changes to Development Consents Orders

Question 6.1: Do you agree that the three characteristics set out in paragraph 6.10 are suitable for assessing whether a change to a Development Consent Order is more likely to be non-material? Are there any others that should be considered?

Yes No

Comments

Making a non-material change

Question 6.2: Do you agree with:

(i) making publicising and consulting on a non-material change the responsibility of the applicant, rather than the Secretary of State?

Yes No

(ii) the additional amendments to regulations proposed for handling non-material changes?

Yes No

Comments

Making a material change

Question 6.3: Do you agree with the proposals:

- (i) to change the consultation requirements for a proposed application for a material change to a Development Consent Order?

Yes No

- (ii) to remove the requirement on an applicant to prepare a statement of community consultation for an application for a material change?

Yes No

- (iii) to remove the current requirement to publish a notice publicising a proposed application where an application for a material change is to be made?

Yes No

Comments

Question 6.4: Do you agree with the proposal that there should be a new regulation allowing the Secretary of State to dispense with the need to hold an examination into an application for a material change?

Yes No

Comments

Question 6.5: Do you agree with the proposal to reduce the statutory time periods set out in the 2011 Regulations to four months for the examination of an application for a material change, two months for the examining authority to produce a report and their recommendation and two months for the Secretary of State to reach a decision?

Yes No

Comments

Guidance on procedures

Question 6.6: Are there any other issues that should be covered if guidance is produced on the procedures for making non-material and material changes to Development Consent Orders?

Yes No

Comments

The proposal we are consulting on

Question 6.7: Do you agree with the proposal that applicants should be able to include the ten consents (see main document) within a Development Consent Order without the prior approval of the relevant consenting body?

Yes No

Comments

Question 6.8: Do you agree with the ways in which we propose to approach these reforms?

Yes No

Comments

Question 6.9: Are there any other ideas that we should consider in enacting the proposed changes?

Yes No

Comments

Question 6.10: Do you have any views on the proposal for some of the consents to deal only with the construction stage of projects, and for some to also cover the operational stage of projects?

Yes No

Comments

Question 6.11: Are there any other comments you wish to make in response to this section?

Yes No

Comments

Subject:	Draft Statement of Community Involvement		
Date of Meeting:	13 November 2014		
Report of:	Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Carly Dockerill Senior Planning Officer	Tel: 29-2382
	Email:	Carly.Dockerill@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to seek authority to publish the Revised Draft Statement of Community Involvement (SCI) for public consultation for a period of eight weeks between November 2014 and January 2015. The current SCI was adopted in 2006. Since its adoption, there have been a number of changes to the planning system including the publication of the National Planning Policy Framework (NPPF) and the Town and Country Planning (Local Planning) (England) Regulations 2012. The SCI has been amended to reflect these changes and other updates in policy and practice. The Draft Revised SCI 2014 is included in Appendix 1.
- 1.2 The Statement of Community Involvement (SCI) is a statutory document which sets out the Council's approach to consultation during the preparation of planning policy documents, such as council's City Plan and Supplementary Planning Documents (SPD's) and in the planning application process. In addition to the requirements of planning legislation, the draft SCI also contains the principles for consultation on Neighbourhood Planning and The Duty to Cooperate.

2. RECOMMENDATIONS:

- 2.1 To note the content of this report and approve the Revised Draft Statement of Community Involvement for public consultation for a period of eight weeks from 20th November 2014.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 It is a key objective of the planning system to strengthen community and stakeholder involvement in the planning and development process. Planning affects all communities, therefore it is important that local people understand the process of participation and are given the opportunity to get involved.
- 3.2 Greater community participation and empowerment is outlined in the Localism Act 2011 and the National Planning Policy Framework 2012 which states that

one of the core principles of planning is to ‘empower local people to shape their surroundings’¹.

- 3.3 Engaging communities early in the plan-making and planning application processes should ensure that plans and developments reflect the views of local people, and will allow for communities to fully understand the process from start to finish.
- 3.4 It is important that the SCI is up to date and reflects current national planning legislation and guidance. The existing SCI was adopted in September 2006. Since its adoption there have been changes to planning legislation. The draft document is reflective of the council’s planning service review to deliver a more customer focussed service. The SCI has been amended to reflect these changes and to bring it up to date.
- 3.5 Opportunity has also been taken to review the entire SCI to take into account changes to the council’s consultation procedures and good practice (e.g. Community Engagement Framework) which have been developed and adopted. It is also informed by experience of public consultation during plan making stages and consultation on planning applications. The use of technology has also changed since the 2006 publication of the SCI, resulting in the increase use of emails, social media and websites for consultation.

Links to other Council Policy and Strategy

- 3.6 The Corporate Plan 2011-2015 - The Revised Draft SCI seeks to work towards the Corporate Plan’s four priorities to:
 - Tackle inequality – a fair city that works together with a shared responsibility for everyone’s health and wellbeing and protects its most vulnerable citizens
 - Creating a more sustainable city – a world class economy and visitor destination that is a One Planet City
 - Engaging people who live and work in the city – a shared understanding of what is important to citizens and actively encouraging people to get involved
 - Modernising the council – a high performing local authority working toward a new model of self-sufficiency for public services in the city
- 3.7 Community Engagement Framework (CEF) - Opportunity has also been taken to review the SCI in light of the adoption of the Brighton & Hove Strategic Partnership’s adopted Community Engagement Framework (CEF).
- 3.8 The SCI has been produced in accordance with these corporate policies, and our consultation activities will aim to meet their objectives and standards. We will continue to liaise with other departments to ensure that a consistent approach is taken to consultation.

Summary of changes to the SCI

¹ NPPF Para 17

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

- 3.9 The Revised Draft SCI sets out when communities can become involved in planning and the methods of engagement. The SCI establishes the minimum amounts of public consultation and publicity that the council is required to meet and sets out when these requirements will be exceeded.
- 3.10 The 2006 SCI was produced under the Planning and Compulsory Purchase Act (2004). Since adoption, the Planning Act (2008), Localism Act (2011) and associated Regulations have come into force and have introduced changes to the way Local Plan Documents are produced. The key amendments are summarised below:
- Removal of the statutory requirement of the Preferred Options stage for the production of Local Plan Documents
 - Introduction of a flexible participation stage as appropriate to the issues covered by the Local Plan Documents;
 - Removal of the requirement for the SCI to be subject to specific consultation stages, independent examination and to be listed in the Local Development Scheme (LDS).
 - Removal of the requirement for Supplementary Planning Documents (SPDs) to be subject to Sustainability Appraisal (except in the cases where the appraisal of the parent DPD has not covered all issues) and to be listed in the LDS.
 - The introduction of Neighbourhood Planning – publicity and consultation arrangements
 - The introduction of The Duty to Cooperate
- 3.11 In light of the above, the Revised Draft SCI 2014 addresses these changes and sets out the different stages of plan preparation, consultation arrangements and techniques for community engagement.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The council could consider the retention of the current SCI and not revise the version adopted in September 2006. This document is however dated, and does not reflect the current legislative context. It is therefore viewed as risk to have an out of date document. In addition there are now unnecessary and out of date stages and requirements in the 2006 document. The ongoing preparation of the City Plan Part One presents an opportune time to publish the updated SCI before the commencement of work on the City Plan Part Two.
- 4.2 It is important that consultation policy in planning is consistent with council policy and adopted practice. These risks are reduced by the preparation of a revised Statement of Community Involvement which is up to date and will provide clarity on how the local planning authority will engage and communicate with partners, communities and individuals for planning related matters under current planning legislation.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 There is no longer a statutory requirement to consult on the SCI; however, it is considered good practice to do so. Subject to approval it is anticipated that the consultation period will be between 20th November 2014 and 15th January 2015. This is for eight weeks instead of the usual six weeks to take account of the Christmas holidays.
- 5.2 Representations received will be considered in finalising the SCI for adoption. It is intended to bring the SCI back to committee for adoption in March 2015 with a report setting out the representations received and the amendments made in response to comments.

6. CONCLUSION

- 6.1 The SCI is a legally required document which sets out how a local planning authority proposes to engage with stakeholders and residents in the development plan-making process and planning application process.
- 6.2 An up to date revised Statement of Community Involvement which will provide clarity on how engagement will be undertaken with partners, communities and individuals and that minimum requirements are met.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The cost of officer time and public consultation in respect of Revised Statement of Community Involvement will be funded from the existing Planning Policy revenue budget within the Planning & Building Control service. There are no expected additional costs to the council arising from the adoption of the SCI

Finance Officer Consulted: Steven Bedford

Date: 08/11/2014

Legal Implications:

- 7.2 The Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to produce a statement of community involvement. Section 18 of that Act provides that a statement of community involvement is a statement of the authority's policy as to the involvement, in the exercise of the authority's planning policy and development control functions, of persons who appear to the authority to have an interest in matters relating to development in their area.
- 7.3 As stated in the report, there is no legal requirement to consult on a draft statement of community involvement but it is good practice to do so.

Lawyer Consulted: Hilary Woodward

Date: 24/09/14

Equalities Implications:

- 7.4 The Council has already adopted a Statement of Community Involvement 2006, which encourages effective social inclusion for all groups to influence the policy-making agenda. DPDs are subject to an Equality Impact Assessment (EQIA). It is

intended that the revised SCI will help to the planning service to engage effectively with different sectors of the community including those hard to reach groups.

Sustainability Implications:

- 7.5 Sustainability considerations are central to the new planning system. Each local development document requires an integrated sustainability appraisal.

Any Other Significant Implications:

- 7.6 The SCI will help to deliver the priorities of the Corporate Plan 2011-2015 citywide.

SUPPORTING DOCUMENTATION

Appendices:

1. Draft Revised Statement of Community Involvement 2014

Documents in Members' Rooms

Adopted SCI 2006

Background Documents

Community Engagement Framework

Brighton & Hove Draft Revised Statement of Community Involvement

Brighton & Hove City Council
Planning

Draft for Consultation
November 2014



Brighton & Hove
City Council

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Please note:

The approach set out in this document will be subject to change as and when the legal requirements change.

1. Introduction

- 1.1 This document is the Statement of Community Involvement (SCI) for Brighton & Hove City Council. The SCI is a statutory document that formally sets out the policy and standards for engaging residents, local groups, stakeholders and statutory consultees in preparing development plans and how the council will consult on planning applications. The SCI therefore sets the framework for planning-related consultations which will ensure there is genuine involvement in plan-making and shaping of plans. It will also enable the Council to demonstrate how it has met the requirements of the planning regulations.
- 1.2 The document is divided into four main parts. The first is a brief introduction to the SCI and its relationship to other council strategies and describes the council's approach to consultation. The second section describes the processes by which the Council prepares planning policy documents for the local area. The third section focuses on neighbourhood planning and the fourth section focuses on planning applications and how the council will engage local communities and other interested persons in determining planning applications.

a) Updating the SCI

- 1.3 The existing SCI was adopted by the city council in September 2006. Since then there have been a number of changes to the planning system along with the council's own policies on consultation. As such, it is necessary to update the SCI – and in doing so reiterate and update the council's commitment to engaging the community in the planning process.

b) Relevant Legislation and the National Planning Policy Framework

- 1.4 The SCI is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended). There is no stipulated method for producing an SCI, however it has been prepared consistent with the Town and Country Planning (Local Planning) (England) Regulations 2012 and best practice guidance on plan-making. The Local Planning Authority must meet the minimum requirements (set out in the regulations) however the commitments in the SCI can go beyond those requirements.
- 1.5 The updated SCI also addresses a number of changes to the planning system, including the Duty to Cooperate with neighbouring authorities when preparing plans and Neighbourhood Planning, introduced by the Localism Act 2011. The SCI follows national planning policy guidance on plan making and deciding planning applications.
- 1.6 The legal requirement for consultation on planning documents is set out in government regulations¹. These regulations require the council to:
- Place all documents on its website (www.brighton-hove.gov.uk) together with supporting information needed to enable people to understand what

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

they are being asked to comment upon and specify where and when the documents can be inspected;

- Make all relevant material available for people to look at the council offices during normal working hours and other suitable places for the period of consultation;
- Send copies of consultation documents to the statutory consultees (see paragraph 1.41); and
- Keep the consultation open for a minimum of six weeks for policy documents and a minimum of four weeks for Supplementary Planning Documents.

i) National Planning Policy Framework

1.7 The National Planning Policy Framework sets out guidance for local planning authorities both in drawing up plans and making decisions about planning applications. Paragraph 17 of the National Planning Policy Framework (NPPF) set out 12 core planning principles. One of the key principles states that planning should 'be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.'

c) SCI links to other council strategies

i) Sustainable Community Strategy

1.8 The Sustainable Community Strategy (SCS) is the overarching strategy for the City. It draws together plans, strategies and priorities from the council, public sector, business, voluntary sector and community. It establishes a shared vision for the city and a set of principles and priorities to guide action. The guiding principles include improving engagement and a commitment to greater engagement as well as listening harder to the messages offered.

1.9 The SCS and the planning policy documents are very closely linked. The production of the local plan documents build upon the key themes and priorities of the SCS and are a key mechanism for delivering the land use and spatial elements of the strategy.

1.10 The SCS is guided by two key principles, to increase our equality and to improve our engagement. Using the key principles as a guide, the SCS sets out five overarching priorities that will be worked towards collectively; Economy, Children and Young People, Health and Well-being, Community Safety and Resilience and Environmental Sustainability.

1.11 The Local Development Team will continue to consult with the various partnerships that make up Brighton & Hove Connected in the preparation of local plan documents including the City Sustainability, Economic and Strategic Housing Partnerships and where appropriate the City Engagement Partnership which has been established to lead, develop and support active community engagement in city-wide strategic planning and decision-making processes.

ii) *Corporate Plan 2014*

1.12 The council's Corporate Plan sets out the council's purpose, ambition, values and priorities, describing how the council will work to meet them. It describes the council's intentions and actions in response to the changing demand for services, the need to manage the council's budget even more closely and changes in national legislation and guidance. The Corporate Plan sets out the council's own contribution to delivering the city's Sustainable Community Strategy. This SCI reflects the Corporate Plan priority to engage people who live and work in the city and to develop a shared understanding of what is important to citizens and actively encouraging people to get involved and to tackle inequality.

iii) *The Sustainability Action Plan 'One Planet Living'*

1.13 Brighton & Hove is the world's first designated One Planet City. On 18 April 2013, the city's Sustainability Action Plan received accreditation from sustainable development charity BioRegional for its plans to enable residents to live well within a fairer share of the earth's resources.

1.14 The One Planet approach is a framework that helps address all major aspects of environmental, social and economic sustainability and is based on ten principles or areas of focus developed by sustainable development charity BioRegional with World Wildlife Fund to help people and organisations live and work within a fair share of the planet's resources.

1.15 Local Plan documents will support the delivery of the Sustainability Action Plan² which has been prepared to deliver the One Planet City approach and reduce the city's ecological footprint. Active engagement and involvement will be key to delivering the Sustainability Action Plan.

ii) *The Community Engagement Framework (CEF)*

1.16 Brighton & Hove Connected (Brighton & Hove's Local Strategic Partnership) has developed a Community Engagement Framework (CEF) for the city as both a policy document and a practical resource. As a policy document it sets out the Brighton & Hove Connected's commitment to and understanding of community engagement in Brighton & Hove. As a practical resource it provides a clear definition of community engagement and importantly sets specific standards for community engagement to which all Partners must adhere.

1.17 The community engagement standards set out within the Community Engagement Framework (CEF)³ addresses three aims:

1. To improve engagement activity that enhances the lives of people and their communities
2. To improve engagement activity that ensures opportunity for all

² <http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/PandR%20version%20OPL%20SAP%283%29%20with%20Forewords.pdf>

³ http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/BH_CEF_Community_Engagement_Framework.pdf

3. To improve engagement activities that drive up the quality of services and makes better use of resources.

1.18 Our approach to community engagement in planning will apply the key principles of the Community Engagement Framework and we will ensure that specific standards for engagement are followed whilst continuing to operate under current planning legislation. The standards are listed in Appendix 1.

iii) Equality and Inclusion Policy

1.19 The council's Equality and Inclusion Policy 2012-2015 describes the vision, objectives, key actions and measures to promote, facilitate and deliver equality in the council and the rest of the city. The council will make every endeavour to meet the requirements of The Equality Act 2010 and Human Rights Act 1998. In accordance with the council's Equality and Inclusion Policy when we engage with communities on planning matters we will identify which groups should be involved, consider how best to reach and engage with them and use a range of approaches and activities to ensure that engagement is accessible and appropriate for the diverse communities that make up the city.

1.20 A Health Equalities Impact Assessment is undertaken and published as part of the local plan preparation process to ensure that potential health and equalities outcomes of policies and proposals are appraised.

d) Strategic Planning – The Duty to Cooperate

1.21 Local Planning Authorities have a duty to work collaboratively with neighbouring authorities on strategic, cross boundary issues. The Duty to Cooperate is a requirement of the Localism Act 2011 and the National Planning Policy Framework. It requires Local Planning Authorities and other prescribed bodies (set out in paragraph 1.42) to engage on the preparation of development plan documents and other activities relating to the sustainable development and use of land, in particular in connection with strategic matters, defined as matters affecting more than one planning area.

1.22 The City Council has been actively involved in a number of cross boundary bodies and partnerships with adjoining authorities which have worked together on development plan documents such as the City Plan, the Waste and Minerals Local Plan and the Shoreham Joint Area Action Plan. In addition to these established partnerships, extensive cooperation has occurred with other planning authorities and prescribed bodies throughout the preparation of the City Plan and the Waste and Minerals Local Plan.

1.23 The key cross-boundary planning issues that need to be addressed through the Duty to Cooperate have been identified as:

- Meeting unmet housing needs;
- Employment land and economic growth;
- Shoreham Harbour Regeneration;
- Gypsy and Travellers Sites
- Student Housing Needs
- Waste and Minerals

1.24 Brighton & Hove takes part in regular discussions and consults with the following cross boundary partnerships;

- Community Infrastructure Levy (CIL) Liaison Group
- Coastal West Sussex
- Greater Brighton Economic Board
- Planning Liaison Group
- East Sussex Chief Executives Group
- East Sussex Housing Officers Group
- East Sussex LDF Group
- Local Enterprise Partnerships
- South East Seven
- Shoreham Harbour Group

1.25 The city council will continue to work closely with its partners to deliver planning and fulfil requirements under the Duty to Cooperate.

2. Community Involvement in Planning Policy

2.1 Brighton & Hove City Council has a duty to put in place a framework of planning policies (known as the Local Plan or Development Plan) which will be used to guide development proposals and to help determine planning applications. As part of the preparation of these planning policies and supporting documents there are statutory stages of consultation that must be undertaken to allow the public and stakeholders to have their say on what is being proposed.

2.2 This section outlines the type of local plan documents that Brighton & Hove City Council prepares and the regulations that guide the preparation process of these documents. Within those regulations are statutory requirements for consultation and this section sets out how they will be met in Brighton & Hove, and indicates the methods of consultation and engagement that may be used in addition to ensure that everyone has the opportunity to be fully engaged in the process.

a) What types of plans will we consult on?

i) Local Plans or Development Plan Documents (DPDs)

2.3 These are plans which set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy and community facilities and infrastructure as well as a basis for safeguarding the environment, adapting to climate change and securing good design. They are also critical tool in guiding decisions about individual development proposals. The plans generally look forward 15-20 years. In Brighton & Hove we are working on the City Plan. We also work jointly with East Sussex County Council on the Waste and Minerals Local Plan and with West Sussex and Adur and Worthing on the Shoreham Harbour Joint Area Action Plan.

The statutory stages in the preparation of these documents is set out in the Town and Country Plan (Local Planning) (England) Regulations 2012⁴.

ii) Supplementary Planning Documents (SPDs)

2.4 These documents add further detail to the policies established in the Local Plan /DPDs. They can be used to provide further guidance for development but cannot be used to set out new policy. As with Local Plans/DPDs the statutory requirements for preparing SPDs are set out in the Town and County Planning (local Planning) (England) Regulations 2012.

iii) Neighbourhood Plans and Development Orders

2.5 The Neighbourhood Planning (General) Regulations 2012⁵ set out the statutory requirements for the preparation of Neighbourhood Plans and Development Orders.

2.6 Neighbourhood planning is a way for local groups to take a lead on planning the future of their area. Neighbourhood planning can be led by a Parish Council or by a Neighbourhood Forum, which are specially set up for neighbourhood planning. Neighbourhood Forums need to be open to anyone who lives or works in the area they cover. Consultation during the preparation stage of these plans is undertaken by the Town or Parish Council and does not therefore need to meet the requirements of this SCI but it would be a useful starting point to help guide consultations.

2.7 Neighbourhood Forums can choose to prepare neighbourhood development orders or a Neighbourhood Development Plan. Local Communities can grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development and set out planning policies in Neighbourhood plans to guide the future development of an area, including identifying sites for new housing or safeguarding parks and playing fields.

2.8 Once a Neighbourhood Plan or Order is approved it will be used to guide development and to help decide the outcome of planning applications in the area. The Neighbourhood Plan or Order sits alongside other planning policy and needs to generally conform to local and national planning policy.

2.9 More detail on Neighbourhood Planning is set out separately under Section 3 of this SCI.

iv) Sustainability Appraisal (SA) and Strategic Environmental Assessment

2.10 The Sustainability Appraisal is an integral part of the plan preparation process and is, required for each local plan document and for some SPDs. It looks at the environmental, social and economic effects of a plan to make sure that the plan promotes sustainable development and that the plan takes the most appropriate

⁴ <http://www.legislation.gov.uk/ukxi/2012/767/made>

⁵ <http://www.legislation.gov.uk/ukxi/2012/637/contents/made>

approach given reasonable alternatives. At each stage of the local plan preparation there is a corresponding stage of the sustainability appraisal and the SA documents are made available for comment during public consultation. The Sustainability Appraisal, where appropriate will incorporate the Strategic Environmental Assessment (SEA), in accordance with European Directive EC/2001/42. The process is laid out in government guidance.

2.11 Recent judgements indicate that Neighbourhood Plans are subject to the requirements of the SEA Directive and would therefore always require a screening opinion.

v) Community Infrastructure Levy (CIL)

2.12 CIL is a charge that is levied on new development floorspace which is intended to contribute towards the provision of infrastructure to support growth. The statutory process for preparing a CIL Charging Schedule is set out in the Community Infrastructure Regulations 2010 (as amended)⁶ and this is set out in Figure 3 including the requirements for public consultation.

2.13 At the time of writing the City Council is currently assessing the potential for introducing a CIL.

b) Other Documents

vi) Development / Planning Briefs

2.14 These are informal plan documents and include site specific planning briefs or master plans prepared by (or for) the Council. The purpose of these documents is to provide clarity for potential developers and set key planning parameters that development proposals for a specific site should address. There is no statutory process for preparing these documents but the SCI sets out the framework for engagement that is integral to the preparation process.

vi) Strategic Planning

2.15 The NPPF⁷ states that 'local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination'. The council will therefore work with neighbouring authorities as part of a joint committee, on a memorandum of understanding or a jointly prepared strategy, presented as evidence of an agreed position. Cooperation will aim to be a continuous process of engagement from initial thinking through to implementation.

c) Who will we engage?

2.16 Anyone who may have a role or interest in shaping the planning of Brighton & Hove including local people, local businesses and partnerships, local community

⁶ <http://www.legislation.gov.uk/ukxi/2010/948/contents/made>

⁷ Para 188

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

groups, landowners, developers, public sector organisations national organisations and agencies should have the opportunity to engage actively in the preparation of local plan documents. Government regulations⁸ identify specific organisations ('Specific Consultation Bodies) and general types of organisations ('General Consultation Bodies') that we have to consult with on certain planning documents at certain stages of their preparation. These bodies are set out below. There is also an expectation that we will also consult with residents and local businesses as appropriate to the type of document and stage of preparation.

i) Consultation Bodies

Specific Consultation Bodies

- The Coal Authority
- The Environment Agency
- The Historic Buildings and Monuments Commission for England (known as English Heritage)
- The Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- The Highways Agency
- Adjoining Local Planning Authorities (including Parish Councils)
- Relevant Telecommunications Companies
- The Primary Care Trust / Clinical Commissioning Groups
- Relevant utility companies
- the Homes and Communities Agency

General consultation bodies

- Voluntary bodies some or all of whose activities benefit any part of the local planning authority's area,
- Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area,
- Bodies which represent the interests of different religious groups in the local planning authority's area,
- Bodies which represent the interests of disabled persons in the local planning authority's area,
- Bodies which represent the interests of persons carrying on business in the local planning authority's area;

Duty to Cooperate

- Adur District Council
- Horsham District Council
- Mid Sussex District Council
- Lewes District Council
- Crawley Borough Council
- Wealden District Council
- Eastbourne Borough Council

⁸ <http://www.legislation.gov.uk/ukxi/2012/767/regulation/18/made>

- West Sussex County Council
- East Sussex County Council
- South Downs National Park Authority

Other Prescribed bodies for Duty to Cooperate

- Environment Agency
- Historic Buildings & Monuments Commission for England
- Natural England
- Civil Aviation Authority
- Homes & Communities Agency
- each clinical commissioning group established under section 14D of the National Health Service Act 2006
- the National Health Service Commissioning Board
- Office of Rail Regulation
- Integrated Transport Authorities
- Highways authorities
- Marine Management Organisations

ii) Brighton & Hove's Consultee Database

2.17 The council will ensure that both specific and general consultee bodies are contacted regarding the preparation of planning policy through the use of its consultee database.

2.18 The database is regularly updated after consultations have taken place to ensure that new consultees are added and the existing contact details are current. Any individual or groups can register themselves on the database by contacting the Local Development Team. Currently the database contains over one thousand contacts from the following categories:

- Black and Minority Ethnic Groups (BME)
- Business Groups
- Community & Voluntary Sector Groups (C&VS)
- Civic & Amenity Groups
- Community Newspapers
- Consultants
- Environmental, Transport & Wildlife Groups
- Government Agencies
- Individuals
- Landowners, Developers & Agents
- Local Enterprise Partnership Members
- Local Authority/Public Bodies
- Parish Councils
- Local Strategic Partnership Members
- Local Members of Parliament
- Local Councillors
- Utilities Companies
- Religious Groups
- Emergency Services
- Disability Groups
- Residents and Tenants Groups



d) When will we engage?

2.19 The plan making regulations set out the stages in the preparation process for each type of planning document when we must formally publish the documents for comment and for how long. The stages are set out in Figures 1-3. These requirements will always be met. In addition we will make a commitment to undertake additional engagement at appropriate stages through the process.

2.20 In particular we consider that there should be significant effort to engage people at the early stages of preparing our local plan documents, at the point in the process when there is the greatest opportunity to influence the shape of strategies and policies.

2.21 Consultations that fall over a holiday period would normally be longer (for example extended from six to eight weeks) in duration to ensure everyone has the opportunity to become involved including those who may be away at these times.

2.22 A three year rolling work programme of plan preparation is set out in the Local Development Scheme. It provides the starting point for members of the public and stakeholders to find out about which documents are being produced and the key stages of consultation. The council's website will be regularly updated with current consultation information and copies of documents. This will ensure that the exact dates of consultation are published in good time.

2.23 Figures 1-3 set out the key stages in policy document preparation.

Figure 1: Key stages in preparing DPDs

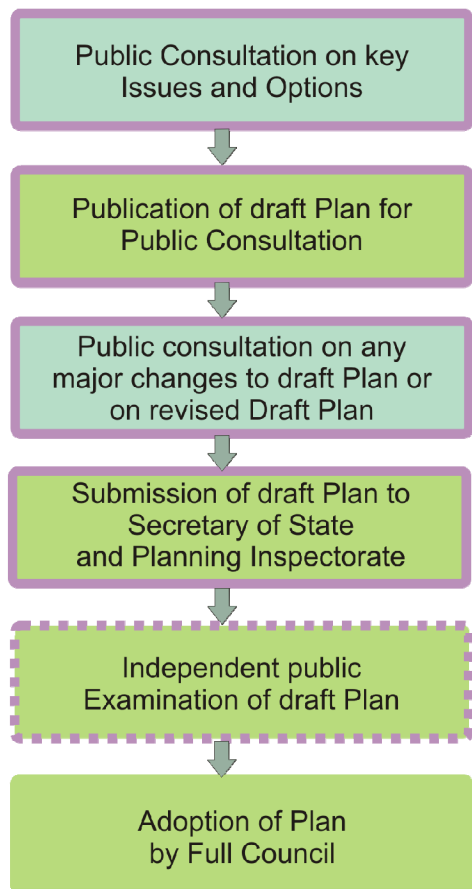


Figure 3: Key stages in preparing our Community Infrastructure Levy (CIL)

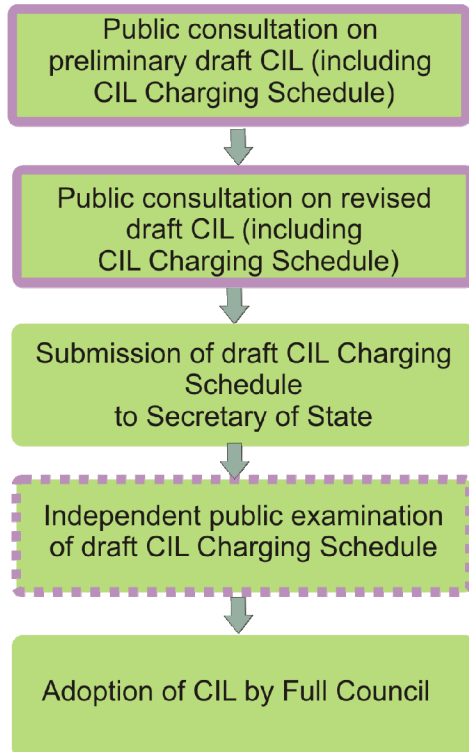
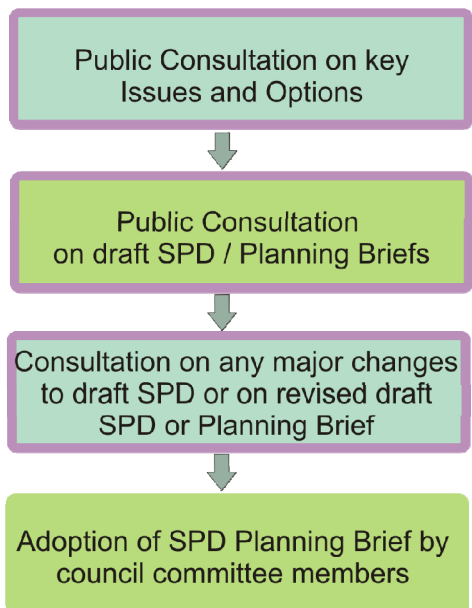


Figure 2: Key stages in preparing Supplementary Planning Documents (SPDs) / Planning Briefs



- Required stage
- Stage at which public can participate
- Optional Stage
- Inspector to invite participants

e) How will we engage?

i) Publicity and Availability of Documents

2.24 We will always make our consultation documents available online via our website. Documents will also be made available in both Customer Service Centres in Bartholomew House Brighton and Hove Town Hall Hove. Documents will also be made available in our main city libraries, Jubilee Library, Hove Library and Portslade Library. Sometimes it may also be appropriate to include smaller city libraries depending on the consultation being undertaken. Smaller libraries will generally be used for policy documents that are of city wide importance such as a DPD, or SPD. Smaller libraries may also be used in area specific consultation for documents such as development briefs. Opening days and hours of the Customer Service Centres and libraries will be made available to consultees at the start of consultation. Local media will receive press releases at key consultation stages.

ii) Notification

2.25 As a minimum we will consult the bodies and individuals identified as Statutory and General Consultee bodies on planning documents at the relevant statutory consultation stage and anyone else who has been asked to be notified of consultation events. Where we have an email address for a consultee we will send the relevant information electronically, to make efficient use of time and resources. When this is not possible we will send a letter by post.

iii) Seeking Formal Comments

2.26 In all cases we encourage consultees to make comments electronically. Our preference is for consultees to respond online through our council consultation portal⁹ which is usually used to host council consultations. Responses sent by email are also encouraged. Responses sent by post are also acceptable. We only require one copy of your response. Consultation responses will be acknowledged within ten working days of being received.

iv) Engagement

2.27 As well as meeting statutory consultation requirements, where appropriate the council will also undertake additional consultation and engagement at various stages of the document preparation process. A broader range of methods, including pro-active engagement, will be used earlier on in the preparation of documents when there is more scope for influencing and shaping the document. The method of engagement chosen will be tailored to the specific document and stage of its preparation as well as who is being targeted. Table 2 provides a summary of engagement methods we may use.

⁹ <http://consult.brighton-hove.gov.uk/portal>

Table 1: Possible Methods to Inform/Publicise

Possible Method - Inform	Considerations	What we will do	Examples of types of document
Email	Significant growth in the use of email for consultation. Most individuals and organisations have access to email and this is a quick method of communicating with large numbers of people.	Email alerter to consultees on our database regarding consultation on a particular document. Sometimes this will be tailored according to the document/interests unless stipulated by planning regulations.	All documents
Website	The website is a key method for communication and information and the main source for all documentation that we publish.	All consultation will be placed on our website along with supporting documentation.	All documents
Press releases	Prepare press releases for local newspapers and radio stations or working with newspapers to prepare articles or advertisements to provide detail and raise awareness and interest.	Publish a press release where required or considered appropriate.	Particularly for Development Plan Documents (DPDs) Certain Supplementary Planning Documents (SPDs) Neighbourhood Planning
Statutory notices	At times it will be appropriate to use statutory notices in the local press which set out consultation matters. This is however an expensive method as the cost of statutory newspaper notices is high and may not be considered to provide value for money on every occasion.	There is no longer a requirement to publish a formal public notice of a forthcoming development plan consultation in the press. This is however still a requirement for the CIL draft	Community Infrastructure Levy (CIL) Some other DPDs and documents where it may be considered necessary

Possible Method - Inform	Considerations	What we will do	Examples of types of document
		charging schedule ¹⁰ .	
Consultation Documents made available for inspection at Customer Service Centres and main libraries and some smaller libraries (where appropriate)	This method is best for providing information to people who do not have internet access or limited internet access and who would like to view paper copies of the document.	We will provide details of the locations where these documents are held along with their opening times during the consultation period and provide details in any correspondence that we send out. All libraries in Brighton & Hove are wheelchair accessible and offer a 'Call ahead' service where individuals can check whether their requirements can be met at particular libraries. 01273 296937 or at hove.library@brighton-hove.gov.uk	Development Plan Documents (DPDs) Supplementary Planning Documents (SPDs) Community Infrastructure Levy (CIL) Neighbourhood Planning Certain planning briefs if considered necessary and relevant to areas.
Internal inter-departmental communication	We will aim to share information regarding consultations across internal departments via our team Internal Officer Advisory Group.	Set up regular meetings regarding the progress of planning documents with other council departments as and when appropriate.	All particularly DPDs
Social networking	Use of social networking sites and media	We may use this as part of a press	DPD's SPD's

¹⁰ <http://www.legislation.gov.uk/ukdsi/2010/9780111492390/regulation/16>

Possible Method - Inform	Considerations	What we will do	Examples of types of document
	techniques (for example Facebook or Twitter) to raise awareness of consultations. This method is particularly useful in targeting younger people and local interest groups.	release. Will consider when appropriate to use.	CIL Neighbourhood Planning
Site Notices	Display site notices where a planning policy document might have consequences for a specific site or area (e.g. site allocation) so that residents can be made aware of proposals that could affect their area.	Consider displaying site notices for specific site briefs, site specific spds, and potential allocations in order to try and reach as many people as possible in the area.	Development Plan Documents (DPDs) Supplementary Planning Documents (SPDs) Neighbourhood Planning (as and when appropriate)
Presentations and Q&A Sessions	A way of showcasing a document and raising awareness	Presentations and Question and Answer sessions at meetings of existing groups and/or at council offices where appropriate	DPDs Also certain and SPDs
Leaflets /Posters	Information displayed in different public and community buildings may engage local people who may not have otherwise been aware of the document consultation.	Where appropriate prepare and make available leaflets which summarise the key issues being addressed by the document where appropriate and possibly display posters in local areas such as libraries and community centres.	DPDs SPDs

Table 2: Possible Methods to Consult/Engage

Possible Method - Engage	Considerations	What we will do	Examples of types of Document
Online Response Form	Brighton & Hove Consultation Portal is a central point for all council consultations to be found. Cost efficient.	For use with all consultations. Hard copy versions can be provided for those who would prefer to answer via email or post and copies provided at council Customer Service Centres and Libraries on request.	Development Plan Documents (DPDs) Supplementary Planning Documents (SPDs) Briefs Neighbourhood Planning
Questionnaires and surveys	Questionnaires or surveys to gather views via the council's Consultation Portal and hardcopy	Consider use of these where appropriate	DPDs SPDs Briefs Neighbourhood Planning
Focus Groups, Workshops, one to one meetings	Particularly with statutory consultees or specialist/ residents groups/ partnerships likely to be affected by changes in the local area or particular topic.	Offer focus groups and workshops where appropriate to engage, particularly at the early stages of policy preparation	DPDs Certain SPDs Briefs CIL
Exhibitions, road shows, displays and drop in sessions	Allows people to drop in and ask questions in an informal setting.	Exhibitions with unstaffed displays or staffed drop in sessions also at weekends where appropriate.	DPDs SPDs Briefs Neighbourhood Planning
Planning Aid	Using Planning Aid facilitators to encourage discussion of specific plans or topics or investigating alternative options. Can offer support for local communities particularly in respect to progressing Neighbourhood Plans	Consider use of this technique where complex area based issues particularly with Neighbourhood Plans	DPDs SPDs Briefs Neighbourhood Planning
Planning for Real	Commissioning of	Consider use of	DPDs

Possible Method - Engage	Considerations	What we will do	Examples of types of Document
®	Planning for Real ® to offer a range of techniques all of which are visual, tactile, participatory and community-led.	this technique where complex area based issues	SPDs Briefs Neighbourhood Planning



2.28 We recognise that there can be barriers to effective public participation and we will work hard to address and over come these where possible. The main issues to address are:

- Effective use of Resources – ensure an identified budget is set aside for consultation appropriate to the complexity of the subject matter of the consultation document and the extent of the area covered by the proposals.
- Communication – ensure that plain English is used wherever possible and non technical summaries and glossaries of technical jargon are produced where appropriate.
- Managing expectations –ensure that there is plenty of time and notice about opportunities to get involved, be clear what views are being asked/ scope for comments and ensure in programming consultation exercises that the local community does not become overloaded with consultation exercises;
- Appropriate Use of Technology – The council recognises that whilst the use of technology makes communication with communities easier not all of the community has access to computers, the internet or email. Therefore traditional methods of consultation will continue to be used such as letters.
- Accessibility – The council is committed to developing and maintaining high standards of consultation and to help overcome barriers that some individuals and communities may face to engagement, particularly vulnerable and seldom heard groups in order that they are represented in all community engagement activity and not just single issue activity. Guidance from the council teams and established groups and representatives will be incorporated to ensure that the most effective way to consult is chosen.



f) What happens to the comments received?

2.29 All comments received as part of a planning policy consultation will be collated, analysed and taken into account in decisions made by and on behalf of the council.

2.30 We may occasionally contact the person or organisation who made the comments in order to discuss their views and suggestions.

2.31 Comments will be reviewed and considered by officers and where appropriate, changes to the document proposed.

2.32 There will be circumstances where the council considers that it is not appropriate to alter the plan to accommodate the views of a respondent such as when the proposed changes would be considered to be contrary to national planning policy. Where this is the case, and where the plan is a Development Plan Document, the respondent will have the opportunity to put their views to the independent planning inspector appointed by the government to hold the Examination into the soundness of the Plan either in writing or through appearing at the hearing.

2.33 Where workshops focus or discussion groups are held a written record of the discussions will be taken and made available and published through the Consultation Statement. Results of questionnaires/ surveys undertaken as part of consultation exercises will also be published on the council's website.

2.34 A Consultation Statement will be produced at key consultation stages for development plan documents. The Statement sets out the comments received (either individually or in summarised form, dependent on the volume and complexity), the Council's response to those comments and details of how the outcome of the consultation has been reflected in the next stage of the document preparation process.

2.35 All written comments on plans received within the consultation period will be:

- Recorded and their receipt acknowledged within 10 working days; or one month for complex issues (to be acknowledged within 10 working days)
- Collated and made available for others to see through the preparation of the Consultation Statement which is a public document. Representations cannot be treated in confidence, however personal information with not be made publicly available in order to comply with the Data Protection Act.
- The council will notify anyone who has responded to a consultation when we move to the next stage of the process and when the Consultation Statement is made available so that they can see how their comments may have informed the process.
- At the submission stage the council will contact those people who have requested to be notified of submission, by email or letter.
- Sent to the Planning Inspector for consideration at the Examination (for those comments received at the draft plan stage for Development Plan Documents only).
- At the Examination stage the Plan and the comments received are examined by the Planning Inspector. Anyone who made a representation and indicated that they wish to attend the Examination in public and speak at the public hearings will be informed of the date, time, venue and format of the hearings so the public can voice their concerns to the Planning Inspector. Alternatively concerns can also be made via written representations to the Inspector.
- At the Adoption stage the council will inform consultees who previously made representations about the availability of Inspector's Report.

g) Feedback on Outcomes of Consultation

- 2.36 The council recognises the importance of providing feedback to those with have contributed to consultation on planning documents.
- 2.37 In the preparation local plan documents, CIL, and SPD's, the government planning regulations require the council to set out in a consultation a statement who was invited to make comments, and how they were invited to make representations. The Statement of Consultation provides a summary of the main issues raised by the representations, and sets out how representations made have been taken into account. Copies of any representations made are also provided and submitted to the Planning Inspector where documents are submitted for examination.
- 2.38 Monitoring and review of completed consultation exercises will be undertaken to ensure that lessons are learnt from and to improve consultation for the future.

3. Neighbourhood Planning - Publicity and Consultation

- 3.1 The Neighbourhood Planning (General) Regulations 2012 set out the requirements for publicity and consultation in relation to the initial establishment of neighbourhood areas and neighbourhood forums, as well as in relation to the

subsequent production of neighbourhood plans and neighbourhood development orders. Table 2 below sets out the key stage of preparing Neighbourhood Plans and Forums and clarifies the responsibilities of the both the Neighbourhood Forum and the Council in publicity and consultation.

Table 3

Stage	Neighbourhood Forums will	The council will
Establishing Neighbourhood Areas	Apply for the designation of the neighbourhood area and engage with everybody in this area	Publicise the neighbourhood area application for at least 6 weeks <ul style="list-style-type: none"> • via the council website, • writing by email or letter to appropriate stakeholders in and adjacent to the area • By site notices in local area Assess comments received <ul style="list-style-type: none"> • Make an assessment of the appropriateness of the proposed area Publicise the decision on the council website and send copies to applicant and other stakeholders <ul style="list-style-type: none"> - If approved produce a Designation Notice - If refused the council will seek to designate the neighbourhood area with appropriate amendments which they are not required to consult upon. - If refused the council will produce a decision notice. Publish a map setting out area being designated.
Establishing Neighbourhood Forum	<ul style="list-style-type: none"> • Have membership of at least 21 people • Have a written constitution • Engage with everybody in the area before submitting the application – evidence should be provided. 	<ul style="list-style-type: none"> • Publicise the forum for at least 6 weeks • Make designation known via formal decision notice on website and sent to interested parties in area • Publish name of forum a copy of constitution and contact details of at least one member of the forum.
Preparing Neighbourhood Plans	Arrange community consultation events to <ul style="list-style-type: none"> • Scope key issues in area • Gather evidence to support plan • Identify options for policies • Decide on content of neighbourhood plan 	<ul style="list-style-type: none"> • Advise Neighbourhood Forum of possible appropriate stakeholders in area

Stage	Neighbourhood Forums will	The council will
Pre-submission consultation and publicity of Neighbourhood Plan	<ul style="list-style-type: none"> • Undertake the first formal stage of consultation • Publicise plan for at least 6 weeks • Set out how representations can be made • Consult those bodies who may be affected by proposals • Send a copy of the neighbourhood plan to the council • Assess comments received and where relevant make changes to the plan 	<ul style="list-style-type: none"> • Advise on appropriate consultation
Submission of Neighbourhood Plan to council	<ul style="list-style-type: none"> • Submit neighbourhood plan to council • Submit accompanying documents e.g. Consultation Statement 	<ul style="list-style-type: none"> • Publicise Neighbourhood Plan for at least 6 weeks on website • Email / letter to appropriate stakeholders in and adjacent to area • Notify all bodies referred to in submitted consultation statement
Examination of Neighbourhood Plan		<ul style="list-style-type: none"> • Appoint independent examiner • Submission of neighbourhood Plan and all other relevant documents to the examiner
Publication of Examiner's Report		<ul style="list-style-type: none"> • Be advised by the examiner whether... <ul style="list-style-type: none"> - the plan can proceed to referendum stage without any changes - Further modifications required to make plan sound before referendum - Plan does not meet basic conditions and should not proceed to referendum • Council is required to consider the recommendations made by examiner and decide what changes should be made. • Council to issue a decision statement
Neighbourhood Plan Referendum		<ul style="list-style-type: none"> • Organise and fund the referendum • Publish decision to make or not make the neighbourhood plan on website • Write to appropriate stakeholders

Stage	Neighbourhood Forums will	The council will
		within and adjacent to area to inform them of decision. <ul style="list-style-type: none"> • Produce a decision statement and send a copy of this to the neighbourhood forum and to any person who have asked to be notified of the decision.
Publicising a Neighbourhood Development Plan		<ul style="list-style-type: none"> • Formally publish the neighbourhood plan on the website • Write to appropriate stakeholders within and adjacent to neighbourhood area • Notify any person who has asked to be notified of the making of the neighbourhood plan.

3.2 Once in place, the neighbourhood plan will be used by the Council to determine planning applications received within the relevant neighbourhood area. More information regarding Neighbourhood Planning is available on the council's website¹¹.

4. Community Involvement in Planning Applications

4.1 Brighton & Hove City Council receives over 3,500 applications each year. Making details of these applications available to the public and carrying out consultation is an important part of the process.

4.2 Application types the Council receives for formal determination include applications for planning permission, listed building consent, prior approvals and notifications, telecommunications developments and lawful development certificates.

4.3 The government sets out minimum standards for public consultation in relation to the various application types the Council receives.

¹¹ <http://www.brighton-hove.gov.uk/content/planning/neighbourhood-planning>

4.4 All applications are available to view on a register of applications on the Council's website including the documents submitted with the application (except where the documents are of a sensitive nature). A weekly list of applications¹² which have been registered is published by the Council and is available to view on the Council website¹³.

4.5 The council may also carry out consultation by other methods which may include:

- Placing a site notice as near as possible to the application site;
- Advising in writing occupiers of properties which share a boundary with the application site;
- Advertising applications in local newspapers / publications.

4.6 Where required, the Council consults statutory consultees outside of the council such as the Environment Agency and English Heritage. Within the Council internal departments are consulted where appropriate.

a) Consultation period

4.7 The Council's letters/notifications/advertisements set out the deadline by which comments should be submitted, which is typically 21 days but may in some cases be 14. Consultees can only be certain that their views will be taken into account if they meet the response deadline. However, in practice, further time may be available before the decision is made. If a consultee is having difficulty meeting the deadline, they should contact the planning case officer to see whether a late comment will be acceptable. Statutory consultees may be allowed a longer period of time to comment on applications where this is prescribed by legislation. Customer Service Centre – facilities for looking at planning applications, printing etc

b) The Appeal Stage

4.8 When we are notified of an appeal by the Planning Inspectorate, we notify interested parties of the appeal and provide a copy of comments made on an application to the Inspectorate. Interested parties are advised of how they can be involved in the appeal process. If an appeal is to be considered at an informal hearing or public inquiry, we also notify interested parties of the venue and time of the hearing in line with the Planning Inspectorate's requirements.

c) Applications Called in by the Secretary of State

4.9 Where applications are called in by the Secretary of State the Council will usually continue to be responsible for consultation and providing the responses to those taking the decisions.

¹² <http://www.brighton-hove.gov.uk/content/planning/planning-applications/weekly-list-planning-applications-2014>

¹³ <http://ww3.brighton-hove.gov.uk/index.cfm?request=c|199915&node=20476>

d) Pre-application consultations

- 4.10 Developers of larger sites at this stage will be expected to engage with local communities - residents' and community associations and relevant interest groups and statutory consultees or service providers.
- 4.11 It is important too that the public are kept informed of how their views have helped make a difference to an evolving proposal. Such an approach would be sought in applications that would be of city-wide, regional, national or even international importance - this could include significant residential development, tall buildings, large leisure, entertainment or retail facilities, and major infrastructure projects.
- 4.12 In these types of schemes, the Council will expect developers, as part of their application to detail the pre-application consultation they have undertaken (in a statement of consultation) and how comments have been addressed in progressing a proposal - which could take the form of a 'statement of community involvement'. This will ensure that the standard requirements for involving the local and/or wider community are met.
- 4.13 The 'significance' of a development proposal will determine the likely minimum level of wider community involvement. It is expected that the applicant will be able to identify potentially controversial applications at the initial stage and ward councillors should be consulted at the earliest opportunity.
- 4.14 Suggested methods of community involvement for developers dealing with the three major types of applications are outlined below. The council cannot prescribe that developers use all these methods or refuse to validate an application if certain methods of consultation are not used. However a lack of engagement with the local community could lead to objections being made which could be material to the determination of an application.

Table 4

Approach	Controversial or large-scale applications or those which are contrary to policy	Application broadly in accordance with policy but which raise controversial issues or details, e.g. those that require a Transport Assessment or Environmental Impact Assessment	Applications requiring wider community involvement as a result of their scale or siting in sensitive areas, (such as on open spaces)
Public meetings	✓	✓	✓
Public exhibition	✓	✓	
Surgeries	✓	✓	
Development briefs	✓		
Workshops	✓		
'Enquiry by design' and/or 'Planning for real'	✓	✓	
Citizen panels	✓	✓	✓
Consultation panel	✓		
Parish councils	✓	✓	✓
Resident/interest/ community groups	✓	✓	✓
Media	✓		✓
Website	✓	✓	✓
Local architectural or design panel	✓	✓	✓
Planning Aid	✓	✓	

Appendix 1

The Community Engagement Framework sets out clear Community Engagement Standards which we will seek to follow as closely as possible within the requirements of planning legislation.

The council's adopted Community Engagement Standards can be summarised as follows:

We will be clear about

- why engagement is happening;
- what we want to achieve;
- which engagement activity we will use;
- who we are seeking to engage with;
- what can and cannot be influenced;
- how we will use the information gathered through the engagement activity;
- what the benefit of being involved will be.

Evidence Base

- We will use all available research, knowledge and community intelligence to help us plan engagement activities.
- We will not carry out engagement activities if the information we need is already available.

Timing

- (Within the remit of planning legislation) we will allow sufficient time to design and carry out engagement activities that are inclusive and encourage participation from all affected communities.
- Within the remit of planning legislation we will also allow sufficient time to ensure that the results of engagement activities can shape our policies, plans and services and that we can 'test back' with communities what they have told us.
- When timing for activity is set for us by another, for example, national government, we will clearly communicate this to participants.

Resources

- We will plan engagement activity carefully in accordance with what the activity seeks to achieve and in the context of available resources will communicate any constraints clearly.
- We will recognise the need to resource practical support that helps people to be involved.

Communication

- We will always be open, honest, and accountable when sharing information and responding to contributions from all participants.
- Where possible all communication will be jargon free (or if this is not possible within the remit of planning legislation we will ensure that full glossaries / explanations of terminology are included) and relevant to the intended audience.
- We will seek to use a wide range of methods to maximise the opportunity for communication between communities and partners.

- We will clearly communicate how participants can seek redress if they are unsatisfied with the process.
- We will also communicate between partners to create joined-up engagement activities and avoid duplication of effort.

Partnership

- We will work in partnership with other organisations when and where they have additional or greater expertise, knowledge or experience about engaging with specific communities, with particular recognition of the knowledge and expertise of the voluntary and community sector.
- The independence of the voluntary and community sector will be respected and recognised in all partnership working.

Quality

- We will work to ensure that staff responsible for engagement have the skills and capacity to achieve high quality engagement.
- Equally, we will work to ensure that communities have the opportunity to develop their skills and capacity to engage if they wish.

Accessibility

- We will support a variety of engagement activities to reflect the diversity of the communities in Brighton and Hove.
- We will be flexible and responsive to the ways that the community wants to engage with us.
- We will recognise the need to make engagement both formal and informal at different times and for different people and purposes.
- We will provide practical support to help overcome barriers that some individuals and communities may face to engagement, particularly vulnerable and seldom heard groups in order that they are represented in all community engagement activity and not just single issue activity.

Feedback

- We will provide feedback to the community about the engagement activities we carry out and will explain how the community's input contributed to the decision-making process.
- We will explain how and when we will provide feedback to the community at the same time as we carry out the community engagement exercise.
- We will also make the feedback as widely available as possible.

Monitoring & Review

- In partnership with stakeholders, we will monitor and review the engagement activities we carry out to ensure that all sections of the community have the opportunity to engage should they choose to, particularly those whose voices are often not heard, and change our practices accordingly. We will learn from our own practice.



**Brighton & Hove
City Council**

Subject:	Accessible housing and Lifetimes Homes Planning Advice note		
Date of Meeting:	13th November 2014		
Report of:	Executive Director Environment Development and Housing]		
Contact Officer:	Name:	RobFraser	Tel: 01273 29-2380
	Email:	rob.fraser@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 To seek approval to consult on interim guidance on accessible Housing and Lifetime Homes to meet a temporary void in guidance. The government is consulting on new standards which, in due course, will provide the basis for all access standards nationally.

2. RECOMMENDATIONS:

- 2.1 That the committee approve the draft PAN 03 for consultation for a period of a minimum of 6 weeks and (as a temporary measure)
- 2.2 That the committee adopt the interim PAN 03 as the interim guidance for applicants for development control purposes

3. CONTEXT/ BACKGROUND INFORMATION

The National Planning Policy Framework obliges the Council to look for good design and that means inclusive design. It defines inclusive design as *'Designing the built environment, including buildings and their surrounding spaces, to ensure that they can be accessed and used by everyone.'*

A planning advice note (PAN) PAN 03 'Accessible housing and Lifetime Homes' was first adopted by the Council in 2007. It was produced in support of Local Plan Policy HO13 in the 2005 local plan and sets out the specific standards expected of planning applications for new housing.

The policy specifically refers to a planning advice note setting out design criteria for lifetime homes and wheelchair standards.

The requirements in the original PAN were based on two nationally recognised documents.

The Wheelchair Housing Design Guide, produced by Habinteg Housing Association and others and

The 16 **Lifetime Homes Standards** produced by the Joseph Rowntree Foundation, the national standards for adaptable housing, both documents published by BRE Press.

The original PAN03 was withdrawn from the Council's website some time ago in order to revise it to reflect the changes made to both of the source documents. At the time of review there was considerable uncertainty that Local Authorities would be permitted to apply local access requirements in the light of the consultation on the National Housing Standards Review. That review took place in 2013 and one of the outcomes was that it was proposed that Lifetime Homes and wheelchair accessible housing would go into the Building Regulations in the spring of 2014. A further round of consultation on the proposed standards relating to accessible housing has now been announced and will delay introduction until 2015. (A separate report will cover the response to those consultations).

Officers continue to seek new dwellings to Lifetime Homes Standards and to secure 5% of new dwellings to be wheelchair accessible as part of the planning application process. There is no current Planning Advice Note in place to explain what these standards require.

Whilst acknowledging that new standards are likely to be introduced in the foreseeable future the exact timeframe is uncertain and it is important to provide applicants with clear guidance on the council's requirements in the interim. The revised PAN, setting out what we mean by Lifetime Homes Standards and what we mean by 'Wheelchair Accessible Housing', will meet this requirement once formally adopted and placed on the website.

Although the Habinteg Wheelchair Housing Design Guide is the widely accepted standard across the country there are other standards which accept a lesser degree of provision and until the new PAN is published it would be difficult to justify not accepting another standard in the absence of clear guidance.

The Lifetime Homes Standards, that many councils already require as part of the planning application process, is aimed at producing housing that can be easily adapted to meet the changing needs of the occupants, whether temporary or permanent, resulting from illness, ageing or loss of mobility.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

The previous PAN 03 was withdrawn when the two standards it sought to refer to were amended. At that time it was anticipated that national standards would be in place by spring 2014. It is now apparent that these will not be in place until an unknown date in 2015.

The Council could continue without current guidance in anticipation of a new standard being adopted but current experience is that applicants are making planning applications for development that meet a range of other standards and there is a resultant inconsistency in the application of this policy. The policy also specifically refers to the guidance set out in the accompanying Planning Advice Note. The recommendation is based upon providing certainty to applicants and agents and consistent decision making.

5. COMMUNITY ENGAGEMENT & CONSULTATION

This report seeks approval to a round of consultation (proportionate to the interim nature of the proposed document) which will be no less than six weeks of targeted consultation with appropriate disabled groups, architects, developers and agents.

6. CONCLUSION

- 6.1 This is a short term measure pending publication and adoption of the national housing standards review requirements. The purpose is to provide clarity, in the interim, for applicants, agents and officers in meeting standards of Lifetime Homes and Wheelchair Accessible Housing.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

Costs of officer time and consultation associated to the recommendations in this report will be funded from the existing revenue budget within the Planning service. Any financial implications associated with implementing measures in relation to the advice note will be reviewed and included in future reports to Committee.

Finance Officer Consulted: Steve Bedford

Date: 2/09/14

Legal Implications:

A Planning Advice Note (PAN) is not a statutory planning document and therefore cannot be afforded full statutory weight in the determination of relevant planning applications.

In exercising its various functions, including its function as a local planning authority, the Council has a duty, under s149 of the Equality Act 2010, to have due regard to the need, inter alia, "to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it". "Relevant protected characteristics" include age and disability. The PAN, the subject of this report, is in keeping with this duty.

It is not considered that any adverse human rights implications arise from this report.

Lawyer Consulted:

Hilary Woodward

Date: 3/11/14

Equalities Implications:

An Equality Impact Assessment has not been carried out or planned as this is an interim measure. However, the Council has legal duties under the Equality Act 2010 as set out in the paragraph 7. above.

The Council is vulnerable to legal challenge if it does not fulfil its obligations under the Equality Act, specifically, in this context to consider the needs of disabled people. The NPPF makes it abundantly clear that looking for good (i.e. inclusive) design when dealing with planning applications is such an obligation. It is important to have the revised Planning Advice Note in place in order to show that the Local Planning Authority have considered the needs of disabled people when formulating their decision on an application.

Sustainability Implications:

The Lifetime Homes Standards are aimed at producing housing that can be easily adapted to meet the changing needs of the occupants. Where homes are not built with this in mind there will be an environmental consequence when people are forced to move house because their existing property cannot be adapted to meet their needs. The move to a new house frequently involves new carpets, curtains, paint, paper, appliances and so on, all of which have embedded costs in both materials and the energy required to produce them.

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 Draft PAN 03

1.

Background Documents

1) National Planning Policy Framework

2) The Wheelchair Housing Design Guide, produced by Habinteg Housing Association and others and

3) Lifetime Homes Standards produced by the Joseph Rowntree Foundation, the national standards for adaptable housing, both documents published by BRE Press.

Appendix 1

PAN 03 Revised 2014

Introduction

The Council has long recognised that, like other places in this country, much of the existing housing stock in the City is inconvenient and inaccessible for many people. Consequently, all new housing in Brighton & Hove needs to be built so that it is capable of meeting the longer term needs of households, such as a family member with a broken leg, someone with a longer term serious illness, or parents carrying heavy shopping and dealing with a pushchair. The aim is not to surround everyone with facilities they do not need but to ensure that homes are flexible enough to meet whatever comes along in life. Homes should be able to meet the needs of both residents and visitors to the premises. The Council also recognises that, for a small percentage of local people, there is a more specific need for some new housing to be built to incorporate additional features which will meet the needs of wheelchair users from the outset.

This advice note was first published in 2007 to explain the differences between the basic Lifetime Homes standard and the more onerous Wheelchair Accessible Housing standard and to set out the relevant planning policy. Since that time, the Lifetime Homes Standards, upon which some of this guidance is based, have been revised and so has the Wheelchair Housing Design Guide which is also used as a key reference source. The Lifetime Homes Standards and the Wheelchair Housing Design Guide are nationally recognised standards that are freely available to all so the decision has been taken that it is not necessary to replicate them in this guide. This Planning Advice Note has been revised to simply reference the two standards and to explain how the advice in the respective documents will be applied in practice.

It must be emphasized that all new housing must meet the Lifetime Homes Standards and the Wheelchair Accessible housing requirements must then be additionally applied to any relevant units. The table showing the requirements for Wheelchair Accessible housing only contains requirements which are additional to, or more stringent than, the Lifetime Homes standards.

Planning Policy Framework

Government Guidance

The Government has stated a commitment to achieving an inclusive society in which nobody is disadvantaged. An important part of delivering that commitment is removing physical barriers and exclusions imposed on people by poor design of buildings and other environments. It is now widely recognized that designing to meet the needs of disabled people produces a building which is much more user friendly for everyone. The needs of a wheelchair user are very similar to the needs of somebody pushing a buggy and we can all benefit from the clearer way finding information which may be provided to help people with impaired vision.

The National Planning Policy Framework requires planning authorities to look for inclusive design in every application for planning permission and defines inclusive design as *'Designing the built environment, including buildings and their surrounding spaces, to ensure they can be accessed and used by everyone.'*

In addition, the Council has a legal obligation, under the Equality Act 2010, to consider the needs and promote the rights of disabled people in the way it carries out its statutory duties. That obviously includes determining applications for planning permission.

Local Planning Policy

In addition to the more obviously recognised forms of disability, research has shown that the isolation created by unsuitable and inaccessible housing is one of the main reasons people are forced to give up their homes prematurely. As life expectancy increases, there is little doubt that we will continue to see an increase in the wide range of degenerative types of disability associated with age. The Council is committed to ensuring that all new housing, and the associated private and public spaces, will enable people with disabilities to integrate fully into society and help people to live independently for as long as possible.

In terms of housing development, the relevant local plan policy is HO13 Accessible Housing and Lifetime Homes. The policy and the supporting text are quoted below.

Local Plan Policy HO13 Accessible housing and lifetime homes

Planning permission will only be granted for new residential dwellings that are built to a lifetime homes standard whereby they can be adapted to meet the needs of people with disabilities without major structural alterations. A proportion of all new dwellings on larger sites (of more than 10 new dwellings) should be built to a wheelchair accessible standard.

Proposals for conversions and changes of use to provide residential accommodation will be expected to demonstrate that, wherever it is practicable, Lifetime Homes criteria have been incorporated into the design. Design criteria for Lifetime Homes and wheelchair standards are set out in Planning Advisory Notes.

4.70 Policy HO13 responds to the objectives of securing equal access to housing for people with disabilities and meeting the needs of households as their occupants grow older or circumstances change. This approach is consistent with an under-supply of housing capable of being adapted to meet the needs of people with disabilities in Brighton and Hove and the need for the planning system and plans to respond to the challenge of meeting the housing requirements of the whole community.

4.71 The policy is intended to complement the Building Regulations by ensuring that access issues are considered at an early stage in the development process. It is consistent with the council's Housing Strategy which seeks to maximise the provision of accommodation suitable for people with disabilities and has strong links with other policies intended to provide greater choice and a better mix of housing.

4.72 Up to date monitoring suggests that the percentage of homes to be built to a wheelchair accessible standard on larger (10+) housing sites should be approximately 5% overall. This is based on the numbers of people in Brighton & Hove holding a disabled persons 'Blue Badge'. It should be noted that in affordable housing schemes, 10% wheelchair accessible housing is sought which reflects registered need. Regular assessment of the housing needs of disabled people over the plan period may lead to a higher, or lower, percentage of wheelchair accessible housing being required.

Section Two: Application of the Policy

Local Plan Policy HO13 applies to all new housing. That includes new build developments, housing created by conversion of buildings from other uses and also the creation of new housing units within an existing residential building. The physical constraints which may exist in some of these different situations make it necessary to apply the policy to differing levels as set out below.

New Build Housing

The policy will be applied rigorously. All new housing within the development will be expected to meet the Lifetime Homes Standard and a percentage of homes in larger developments of more than 10 units will be expected to meet the Wheelchair Accessible Standards set out in the Wheelchair Accessible Housing Design Guide.

Conversion of a building from other uses to housing

In this type of development there is usually a degree of flexibility in how the space is divided and where partitions are positioned. All new housing created by conversion/change of use will be expected to meet the standards described above but reasonable allowance will be made for any features of the existing building which need to be retained, whether for structural reasons, because of other planning and listed building considerations or for some other, well substantiated, reason.

Creation of new housing units in an existing residential building

In this type of development, designers will be expected to demonstrate that a reasonable effort has been made to accommodate as many of the Lifetime Homes Standards as possible. Greater allowance will be made, however, for any features of the existing building which need to be retained. Consideration will also be given to the need to balance the need for reasonable room sizes against the provision of Lifetime Homes.

Size and Distribution of Wheelchair Accessible Units

Many wheelchair users live with a carer who is not necessarily their partner. For that reason, the majority of the wheelchair accessible units should have at least two bedrooms or, at the very minimum, a separate living room, kitchen and bedroom. Single bedroom units where the living accommodation and kitchen space are in the same room do not provide suitable sleeping accommodation for this type of household. The main reasons are that a kitchen which is in a living room cannot be used freely without disturbing a person sleeping there and also that the potential safety risks associated with kitchens make them unsuitable as sleeping places.

It should be noted that 5% of dwellings on any development of more than 10 units should be built to the wheelchair accessible standard but the requirement rises to 10% of all units in the affordable part of each development. That is because of registered need in the City and also because wheelchair users are nationally known to have lower average earnings and are consequently more likely to need such units. In developments with more than one wheelchair accessible unit, every effort should be made to distribute the units throughout the building in order to offer choice of floor and aspect. Some people prefer to be on an upper floor because there is a view and also because it feels more secure. It is preferable that wheelchair accessible units should not be grouped together on the entrance floor.

Lifetime Homes Standards can be viewed and downloaded from the Lifetime Homes website at www.lifetimehomes.org.uk A very useful guide to the application of the Standards published by, BRE Press, is also available and details are on the website.

The Wheelchair Housing Design Guide, also published by BRE Press, is produced by Stephen Thorpe and Habinteg Housing Association.

Subject:	Recreate Project Progress Update		
Date of Meeting:	13TH November 2014		
Report of:	Executive Director Environment, Development & Housing.		
Contact Officer:	Name:	Branwen Lorigan	Tel: 01273 291757
	Email:	Branwen.lorigan@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report provides the Economic Development & Culture Committee with an update on progress made on the Brighton & Hove City Council element of the Recreate project.
- 1.2 The main aim of the Recreate project has been to realise the potential for creative industries to deliver economic regeneration and to stimulate employment. Recreate has supported the growth of art and creative industry businesses; this support has played a part in the growth of the Creative & Digital Information Technology (CDIT) sector, which in turn has brought about regeneration in our city.

2. RECOMMENDATIONS:

- 2.1 That the committee notes the progress made with the Recreate project and the outcomes achieved to date.

3. CONTEXT/ BACKGROUND INFORMATION

Funding

- 3.1 The Recreate Project is a European funded project, Interreg IVA France (Channel) England programme 2007 – 2013 and is co-financed by the European Regional Development Fund (ERDF), involving partners in the South East of England and Northern France.
- 3.2 The project has brought in approximately £500,000 for Brighton & Hove City Council to deliver their outputs and £200,000 for Wired Sussex to achieve their outputs. The project started in October 2013 and will finish in March 2015.

Partners

- 3.3 Recreate brings together fourteen partners from South East England and Northern France, including local authorities, voluntary and private organisations and business support providers.

- 3.4 There are two project partners in Brighton & Hove: Brighton & Hove City Council led by Economic Development, and Wired Sussex .
- 3.5 The following programme has been offered to Brighton & Hove micro and start-up Creative, Digital and IT (CDIT) businesses & entrepreneurs through the Recreate programme:
- Access to business support programmes tailored to art & creative industry business needs.
 - Opportunities for start-ups, graduates and students to access continuous professional development.
 - Opportunities for creative businesses to programme and participate in a wide range of cultural events such as arts and crafts markets, film festivals and performing arts festivals.
 - Access to free or subsidised showcasing and workspaces across the partnership and within Brighton & Hove.
 - Access to and use of the Fusebox, a commercial space refurbished by Brighton & Hove City Council.
 - Access to temporary space through empty shop pop up scheme (s) across the partnership and within Brighton & Hove.
- 3.6 Brighton & Hove City Council outcomes to date
- 3.6.1 The project has worked with Wired Sussex to fund the refurbishment of units D-E. New England House, now known as the Fusebox:
- The project has enabled Brighton & Hove City Council to refurbish Units D-E, a previously empty commercial space in NEH. The refurbishment involved partnership working between several teams in Brighton & Hove City Council including Property & Design who project managed the build, work started in November 2012 and was completed in March 2013. The Fusebox provides free workspace to creative entrepreneurs and is managed by Wired Sussex
- 3.6.2 Establishment of a Pop Up Shops Scheme:
- The scheme was designed collaboratively with Council teams, Business Rates, Planning, Arts, Economic Development, Property and Design, and Commercial Agents. A broker 'We Are Pop Up' was contracted to act as a conduit between potential creative tenants' needs and commercial agents and private landlords with empty retail space available for temporary use. To date there have been ten creative pop up shops. Tenants range from a 'Sick Festival' performance piece, a gallery run by emerging artists, to the Brighton Fringe box office.
- 3.6.3 Programming and delivery of an event for makers and young people at the Mini Maker Faire, Corn Exchange:
- A start up creative business that works with creatives from across the CDIT sector was commissioned to host an event 'The Young Inventors Centre' for Children and Young People, at the Mini Maker Faire in the Corn Exchange. Seventeen creatives from across the Recreate partnership collaborated in the planning and delivery of this event which attracted over 4,000 visitors.
- 3.6.4 A £70,000, Art commission for the design and implementation of public realm project that will enhance the London Road Regeneration Area.

- A brief was written that supports the London Road Master Plan, Valley Garden consultation findings and Portas Pilot survey results. A Selection panel was formed including representatives from the London Road community, Local Action Team, Portas pilot, relevant council project officers. The panel shortlisted and considered presentations from shortlisted candidates. A winner was chosen which is 'Spacemakers' work is due to start in November 2014.
- 3.6.5 Commissioning 'Multi-Story Factory', a project taking place within New England House that aims to revitalise underused or unused spaces within the building.
- The project, by Spacemakers, takes the form of eight billboards published on the walls of the building itself, and aims to build up an up to date picture of New England House.
 - In the face of the forthcoming £24 million regeneration of the building, the project aims to bring the community together, to find out what's made there, what's shared, what's special about the building, and where it can go next. By revealing these stories, the project aims to empower the current residents of the building to inform the regeneration, and to inspire innovative collaborations, new business partnerships and help to ensure that any plans build on what makes New England House a success.
- 3.6.6 Professional development opportunities for creative businesses:
- Digital and face to face delivery in the form of webinars on the loop website. Face to face courses include Sketch up 3D design training for artists & council employees and an Arts and Crafts market professional development workshop.
- 3.6.7 Cross border Creative Digital and IT (CDIT) sector analysis conference:
- Jointly hosted and delivered by Wired Sussex and Brighton & Hove City Council.
- 3.6.8 Building and hosting of a website 'The Loop' www.theloopbrighton.org
- 'The Loop' website showcases the Brighton & Hove element of the Recreate project and promotes the other Recreate partner activities to Brighton and Hove businesses and entrepreneurs. This site also showcases other Brighton & Hove regeneration projects.
 - Brighton & Hove City Council consulted with a sample of creatives from across the CDIT community. The consultation looked at their business needs and explored different support options. As a result of the consultation 'the loop' website also hosts a membership based creative community. This online community seeks to inspire its members to share and develop new business ideas. The members exchange their resources, expertise and knowledge.

Strategic relevance

- 3.7 The project supports the delivery of the City's Economic Strategy and has acted as a lever to bring in further investment through the City Deal which in turn will enable the wider refurbishment of New England House as a flagship growth centre for the creative and digital sectors. Brighton & Hove City Council has used the establishment of the Fusebox and its 'offer' to the creative, digital and IT

sector as evidence of the potential that the complete refurbishment of New England House will have on the future growth of the arts, creative and digital industries sector in Brighton & Hove. The Recreate project demonstrates the impact that Brighton & Hove's arts and creative industry sector has on Economic Regeneration and Town Centre Employment.

4. CONCLUSION

- 4.1 This report provides members of the committee with an update on the progress of the Recreate project.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The total project costs over the project period are expected to be approximately £530,000. 50% of the project costs will be funded by the European Regional Development Fund (ERDF); the other 50% is match funded from existing revenue budgets within the City Regeneration service and by an amount in kind to the value of rent and service rates of the units at New England House which are being leased rent free as part of the project.

Finance Officer Consulted: Steve Bedford

Date: 22/10/14

Legal Implications:

- 5.2 There are no substantive decisions to be taken by the Committee as a result of this report; the content is for noting only.

The council exercises its economic regeneration functions under its general power of competence, as provided for in Part 1, chapter 1 of the Localism Act 2011.

Lawyer Consulted: Oliver Dixon

Date: 24/10/14

Equalities Implications:

- 5.3 None relating to this report.

Sustainability Implications:

- 5.4 None relating to this report.

Any Other Significant Implications:

- 5.5 None relating to this report.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. None

MAJOR PROJECTS & REGENERATION TEAM PROJECT UPDATE

November 2014



AmexCommunit
Op
CircusStreet
MajorProjects
NewEn
D
NewBusinessSpace

Photo Credit: Open Market-Lucy V

CITY REGENERATION UNIT

Team Objectives:

The Major Projects & Regeneration Team manages, together with public and private sector partners, the implementation of key regeneration and infrastructure projects that support the city's economic growth and contribute to the transformation of the city for all, including the development of key employment sites. Successful delivery of these major projects provides new business space and employment opportunities, new homes, and community and leisure facilities. Development can also act as a regenerative catalyst encouraging further investment in the city.

Each of our projects contributes towards a vision of shaping the city by developing and sustaining the economy, preserving and promoting our heritage, growing our cultural offer and improving the quality of life for our residents, visitors and businesses. All projects consider the importance of good urban design and public realm, and also ensure that new development has the minimum possible environmental impact. Generally the projects do not receive direct capital investment from the city council and are dependent upon development partners providing external investment.

The Team:

Richard Davies	x6825
Mark Jago	x1106
Katharine Pearce	x2553
Alan Buck	x3451
Mark Ireland	x2705

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
<p>Black Rock</p> <p>Vacant seafront site adjacent to Brighton Marina.</p> <p>Temporary use opened to the public on 8 April 2013.</p>	<p><i>Director:</i> Geoff Raw</p> <p><i>Project Mgr:</i> Katharine Pearce (Long term proposals)</p> <p>Toni Manuel/ Ian Shurrock (Sand Sculptures)</p>	<p>On 12 July 2012 Policy & Resources Committee agreed with the recommendation of the Black Rock Project Board to end the legal agreement with the previous developer of the Black Rock Site, Brighton International Arena Ltd who had been unable to secure finance for their project.</p> <p>A Cross Party Project Board will have a role in shaping a new project and evaluating proposals longer term.</p>	<p>The Black Rock site offers significant potential for creating jobs, providing new leisure facilities and contributing to the future vitality and sustainability of the seafront. It also offers great potential for contributing to the longer term sustainability of the Marina and drawing visitors along the seafront.</p> <p>Constraints/opportunities of the site include:</p> <ul style="list-style-type: none"> - The need to establish appropriate transport links, as part of a wider seafront strategy, sufficient to support new development - The need to ensure access is protected and if possible enhanced for the Marina – particularly for pedestrians and cyclists - The opportunity to create a new destination and to regenerate this important section of seafront. 	<p>Project Board set up to review temporary uses: April 2012 and a successful report taken to EDCC in October 2012.</p> <p>A new Project Board has now been reconvened to explore long term redevelopment options available to the city council and will be reviewing these along with the opportunities to make linkages with the other sites in the city to deliver the city's longer term strategic objectives.</p> <p>The next step will be a report to Policy and Resources Committee. This will be subject to further discussions with the Project Board.</p>
<p>Brighton Centre</p> <p>Options under discussion:</p> <p>A newly built Conference and Exhibition Centre to form part of an extended Churchill Square retail/leisure development</p>	<p><i>Directors:</i> Geoff Raw</p> <p><i>Project Mgr:</i> Katharine Pearce</p>	<p>A mixed-use development with capacity to utilise land holdings from Standard Life Investments [SLI] (owners of Churchill Square Shopping Centre) to create over 1,000 jobs in the City has been the subject of ongoing dialogue for a number of years. Pre-recession, extensive feasibility in terms of specification,</p>	<p>Mixed-use development: £350–400m Lifetime Value: £3.5 billion. Total Net Additional Jobs: 1,462* *estimate for concept scheme agreed in 2008.</p> <p>In addition: significant amenity and environmental improvements to the Seafront, West Street and Russell</p>	<p>Feasibility discussions are continuing with Standard Life in relation to longer-term redevelopment options.</p>

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
<p>Or</p> <p>A limited refurbishment of the present building.</p>		<p>design, financial viability and cost of a new Conference facility were undertaken. Since 2008 an ongoing funding gap has prevented the project progressing but recent discussion with SLI has shown their willingness to explore options for resolving the funding gap and working with the Council to provide a new centre and also deliver extended facilities at Churchill Square.</p> <p>In recent months, improvement works to the existing Brighton Centre have assisted in maintaining and improving the diary.</p>	<p>Road/Cannon Place.</p> <p>The Impacts and Outputs of a full refurbishment option versus a New Build option will be reported to Committee once the current feasibility work, costings and wider impacts have been assessed and worked through to conclusion. Of paramount importance is achieving a sustainable financial solution for one of the two main options.</p>	
<p>Circus Street</p> <p>The proposal for the site, dubbed 'Grow Brighton' is to build a high-quality sustainable mixed-use development providing a new university library and teaching space for the University of Brighton; employment space, including managed workspace for the creative industries; residential units, student accommodation, ancillary retail and a community and professional dance space run by South East Dance.</p>	<p><i>Director:</i> Geoff Raw</p> <p><i>Project Mgr:</i> Alan Buck</p>	<p>Cathedral have formed a joint venture with McLaren Property to deliver the site. Cathedral have also recently been bought by Development Securities. This should bring good financial backing, while at the same time Development Securities have stated that the Cathedral team and brand will remain together.</p> <p>The planning application for the £100m regeneration proposal was accepted by planning committee on 17 September 2014. The former municipal fruit and veg market would become a mixed-use scheme and 'innovation quarter' which is expected to create 400 jobs and inject £200m into the city's economy over the next</p>	<p>This scheme will deliver the following uses:</p> <ul style="list-style-type: none"> • New Library and teaching space for the University of Brighton and Student Accommodation (486 beds) as part of an improved educational quarter • Dance Studio and Creative Space for the city • Office space, focused on addressing existing market failure for creative and digital sector • Ancillary retail, cafés and workshops to animate the public spaces • Residential: 142 units <p>The headline economic benefits include 169 FTE (full-time equivalent)</p>	<ul style="list-style-type: none"> • December 2012: Started detailed design. • June 2013: P&R Committee gave landowner consent for RIBA Stage D scheme. • October 2013: Planning application submitted. • September 2014: Planning permission received (minded to grant subject to S106). • November 2015: Start on site.

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
		<p>10 years.</p> <p>Cathedral and McLaren Property have opened a temporary cultural and community use in the building, and have appointed a site manager to run the space.</p>	<p>construction jobs and 262 FTE jobs generated by the completed development, and an economic impact in the city economy of £103.8m over ten years.</p> <p>The qualitative benefits include the fact that student housing will relieve pressure on the private rented sector; there will be more, affordable homes; the dance studio provides a focus for dance in the city; it will further integrate the university into the heart of the city bringing enterprise to creativity. There are also physical and townscape improvements linked to the public event square and permeability of the site, replacing the existing derelict market building.</p> <p>The inclusion of the creative space and dance studio within the scheme will contribute to its long-term success in terms of the vibrancy of the area. It will diversify the usage of the site in terms of the range of users and the timings of usage. This will help stop the site becoming an island site and connect it to the other cultural facilities in the city, close to the cultural quarter.</p>	

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
<p>i360</p> <p>A West Pier Trust project in partnership with the Council and Brighton i360 to build a 175m observation tower providing 360 degree views for 25 miles. Restaurant, retail and exhibition space will also be included and the existing West Pier Toll Booths (removed from site) will be re-instated. A wider landscaping scheme and work to the eastern and western seafront arches (started in November 2012) will also form part of the final wider regeneration scheme.</p>	<p><i>Director:</i> Geoff Raw</p> <p><i>Project Mgr:</i> Katharine Pearce</p>	<p>A start on site was achieved for the project in June and an official launch undertaken jointly with the opening of the new western arches, opened by the Mayor, on 29th July. The final completion of the i360 project will be in June 2016 and will conclude the regeneration of this important part of the seafront.</p> <p>The benefits created by the project were presented to Cabinet and later to Policy & Resources Committee on 06 March 2014 and agreement was reached that, in conjunction with the Business Case, a compelling argument could be made for the council to act, on commercial terms, as senior lender for the project.</p> <p>The council therefore worked with the various partners, including the Coast to Capital LEP (Local Enterprise Partnership), to achieve Financial Close which was achieved in June 2014.</p>	<p>100,000 additional visitors to the City and 600-800,000 visitors a year to the attraction providing regeneration for the wider seafront and areas of Preston Street and Regency Square.</p> <p>Section 106 funding of £77k pre-opening and 1% of ticket revenue to be provided in perpetuity to the Council for environmental and other improvements and community benefits.</p> <p>154-169 operational and construction jobs and an estimated 444 jobs overall.</p> <p>Annual additional spend of between £13.09 to £25.4m.</p> <p>An increase of between 2%-3.2% in tourism earnings overall for the City.</p> <p>27,000-49,000 estimated new overnight visitors creating a minimum of 49 FTE jobs.</p> <p>2/3 professional placements each year linked to a management training programme.</p> <p>Management trainees and managers will undertake training linked to achieving NVQ qualifications.</p>	<p>Start on site: June 2014</p> <p>Bid by West Pier Trust: September 2014, to the Heritage Lottery Fund to re-instate original West Pier Kiosk on landscaping to the east of the i360 site.</p> <p>Completion: June 2016.</p>

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
			Landscaping and Environmental improvements to east and west including rebuilding of original Toll Booths as new ticket kiosks as part of i360 project.	
<p>King Alfred</p> <p>Redevelopment of the King Alfred Leisure Centre site to secure the long-term replacement of the outdated sports and leisure facilities, along with a major residential led enabling development.</p>	<p><i>Director:</i> Geoff Raw</p> <p><i>Project Mgr:</i> Mark Jago</p>	<p>The current King Alfred project was established in late 2012, and is overseen by a cross-party Project Board. The Project Board prepared the outline specification for the new sports centre, together with the type of enabling development needed to support it. This was formally agreed by the council's Policy & Resources Committee in July 2013.</p> <p>In November 2013, the council held a successful 'Developers' Day' event; attended by 65 individuals representing some 40 organisations.</p> <p>In May 2014 the council appointed Deloitte Real Estate, a highly experienced firm in this sector, to support the council with the 'Competitive Dialogue' procurement process leading to the appointment of a development partner. The findings of Deloitte's initial phase of work were considered by the Project Board on 11 September, and the launch of the new marketing exercise was agreed.</p>	<p>Provision of modern, high quality, public sports and leisure facilities in the west of the city, and redevelopment of this strategically significant site to enhance the seafront and surrounding area. The enabling development will include a significant number of new homes.</p>	<ul style="list-style-type: none"> • Deloitte Real Estate (Consultants) appointed to support the council – May 2014 • Project Board considered procurement strategy and agreed the launch of the marketing exercise – 11 September 2014 • Initial suite of procurement documents finalised – October 2014 • Development opportunity marketed and Pre-Qualification Questionnaire (PQQ) issued – 10 October 2014. • PQQ submission deadline – 10 November 2014 • PQQs evaluated and shortlisted bidders invited to 'Outline Solutions stage' – December 2014. <u>Indicative timetable</u> for future stages: • Outline Solutions return deadline – February 2015 • Final Tenders return deadline

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
				<p>– May 2015</p> <ul style="list-style-type: none"> • Preferred Partner agreed – Summer 2015
<p>New England House</p> <p>The proposal is to establish a future vision for New England House as a large scale, high profile and visible managed business centre focused on the Creative industries and Digital businesses. The early proposal is for the city council to seek development partners with whom to develop a clear partnership vision, viable business case and funding package for the development of New England House as a digital media hub.</p>	<p><i>Director:</i> Geoff Raw</p> <p><i>Project Mgr:</i> Alan Buck</p>	<p>The growth hub at New England House forms a key part of the City Deal with the government. Feasibility options and a business case have been explored as part of that work. Government have pledged £4.9m towards the project through the City Deal.</p> <p>The next step is to consider procurement options for taking the project forwards with partners. We are also engaging with tenants already in the building and want to build on early engagement with them.</p> <p>Work has been done to refresh and update previous survey work to get a better understanding of the condition of the building and the potential costs involved in renewal. This information will help to inform subsequent stages. Initial high level feasibility work has also been undertaken by Property & Design to inform the city council's ask around New England House in the City Deal.</p> <p>The RECREATE project, which includes</p>	<p>The project will explore options to reconfigure and extend New England House at an estimated cost of £24.53m, with joint venture approach between the City Council and a private sector partner. The expansion of the building would involve increasing the net lettable floor space by 7,089 sq.m to 18,459 sq.m.</p>	<p>An updated business case has been issued to DCLG with a view to accessing the City Deal funding at the earliest opportunity to help unlock the proposal. This will be scrutinised by DCLG on 5 November 2014.</p> <p>A future report will go to Policy & Resources Committee once we know what the government's preferred option is for procuring the private sector partner and accessing the funding.</p>

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
		<p>a 3,500sq.ft refit of space at New England House to transform it into a creative hub 'Fusebox.' This space is managed by Wired Sussex.</p> <p>The Brighton Digital Exchange is outlined in more detail elsewhere on this agenda.</p>		
<p>Open Market</p> <p>To redevelop the Open Market to create an exciting mixed-use development combining a new modern market offering a diverse retail offer and promoting fresh, healthy food and local producers with affordable housing, arts based workshops and a venue for street art and entertainment.</p> <p>The new market will be operated on a not for profit basis for the benefit of the community and contribute to the wider regeneration of the London Road area.</p>	<p><i>Director:</i> Geoff Raw</p> <p><i>Project Mgr:</i> Richard Davies</p>	<ul style="list-style-type: none"> • P&R approval in April 2006 to support the Open Market Traders Association (OMTA) to prepare a redevelopment proposal. • Landowner consent under delegated authority approved for RIBA Stage D scheme in February 2010. • Hyde submit planning application, permission granted March 2011. • Brighton Open Market CIC formed with members being the council, OMTA, Hyde Housing and Ethical Property Company to take ownership of the new market. • Temporary market operational from 9 January 2012. • New market officially opened on 19 July 2014. • CIC drew down mortgage from Triodos Bank and took long leasehold of market from Hyde in June 2014. • 87 affordable housing units completed by Hyde and fully occupied June 2014. 	<ul style="list-style-type: none"> • New covered market with 45 permanent market stalls surrounding a central market square for temporary stalls, visiting markets and a variety of activities • CIC to operate the market for local benefit • 12 A1/B1 workshops • 87 affordable housing units • £12.5m external capital investment in local infrastructure. • Approximately 80 FTE construction jobs. • 120 jobs in the new market, workshops and CIC. • New opportunities for small business start-ups. • Venue to promote local produce and local producers. • Code level 4 for disabled residential units (8 out of a total of 87 units) • Very good thermal performance of building fabric. • Photovoltaics, green roofs and green walls included in scheme 	<ul style="list-style-type: none"> • Continue council officer support for management and administration of CIC and running of the new market.

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
		<ul style="list-style-type: none"> • 12 workshops completed and leased by Hyde to Ethical Property Company, June 2014 • CIC appointed Ethical Property Company as managing agents for the new market 	<ul style="list-style-type: none"> • Works started on site in October 2011. 	
<p>Permanent Traveller Site</p> <p>Project undertaken to manage site selection, delivery of consents and build out of a new permanent traveller site providing 12 permanent pitches for traveller families with local links.</p>	<p><i>Director:</i> Geoff Raw</p> <p><i>Project Mgr:</i> Alan Buck</p>	<p>Research has established that the city has a need to find space for up to 16 permanent traveller pitches to meet the accommodation needs of traveller families who have well established local links. A permanent site will offer those travellers resident in the area greater stability, as well as freeing up space at the transit site.</p> <p>It is proposed that the new site will be built wholly using grant funding administered by the Homes and Communities Agency (HCA). Whilst it will meet the specific housing needs of a certain group, in all other respects, the proposed permanent traveller site is no different than other forms of affordable housing. Residents will have to pay rent and council tax for their pitch, as well as cover their own utility bills.</p> <p>Following an exhaustive site selection process, Horsdean was selected as the preferred location. A planning application was submitted in September 2013. The SDNPA Planning</p>	<p>Provision of 12 new permanent pitches providing homes for families.</p> <p>Freeing up of transit provision in the city and so reducing unauthorised encampments.</p> <p>Visual screening to reduce the impact of the existing transit site on the National Park.</p>	<p>September 2013 – Planning application submitted</p> <p>Feb 2013: SDNPA Planning Committee met and agreed they were minded to grant planning consent.</p> <p>June 2014: The Sec of State agreed to the issuing of the planning consent.</p> <p>Start on site is expected in March 2015.</p>

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
		<p>Committee met in Feb 2014 and agreed to grant consent. The Secretary of State then spent a period of time considering whether to call the application in, but in late June confirmed that it would not be called in.</p> <p>The current work is around complying with planning conditions and undertaking the detailed design.</p>		
<p>Preston Barracks</p> <p>Redevelopment of the council owned 2.2 hectare brownfield site and adjacent University land spanning the Lewes Road, to create a mixed-use development that will act as a regenerative catalyst for this part of the city.</p> <p>The sites, on the main Lewes Road, are an 'urban gateway' to the city from the 'Academic Corridor' (close to Brighton and Sussex Universities) and are therefore of strategic importance to Brighton & Hove.</p>	<p><i>Director:</i> Geoff Raw</p> <p><i>Project Mgr:</i> Mark Jago</p>	<p>Since early 2013, the council has worked in partnership with the University of Brighton and Cathedral Group Ltd (the University's preferred development partner) to unlock the redevelopment of the council-owned Preston Barracks site. Progress was reported to the Policy & Resources Committee in July and December 2013.</p> <p>The partners concluded negotiations in June 2014, and exchanged contracts on 15 July 2014. This significant milestone enabled the partners to take the project forward to the more detailed scheme development and delivery stages.</p>	<p>High quality, sustainable, employment-led, mixed-use development that will act as a regenerative catalyst for this part of the city. The planned scheme will, across the Preston Barracks site and University land, deliver 55,000 sq ft of new employment space in the form of the 'Central Research Laboratory', a business incubation centre that will support new hi-tech and design-led manufacturing start-up companies and entrepreneurs.</p> <p>350 new homes, new University of Brighton academic buildings, student accommodation with 1,300 bedrooms, a health centre and a modest amount of retail space.</p> <p>The scheme will greatly improve the built environment in this part of the city, a key approach to the city centre,</p>	<ul style="list-style-type: none"> • Exchange of Contracts – 15 July 2014. • Partners work to satisfy 'Preliminary Conditions' – July 2014 to January 2015 • Detailed design process commences – early 2015. • Planning application anticipated in late 2015 with a view to development commencing end 2016.

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
			and will better integrate with neighbouring residential and business land.	
<p>Falmer Released Land</p> <p>Redevelopment of the former Falmer School land that was not required for the Brighton Aldridge Community Academy (BACA).</p>	<p><i>Director:</i> Geoff Raw</p> <p><i>Project Mgr:</i> Richard Davies</p>	<ul style="list-style-type: none"> • Falmer High School land surplus to BACA requirements is available for alternative uses. • Cabinet February 2012 gave delegated authority to proceed with a licence for The Community Stadium Ltd (TCSL) to use the site for temporary stadium parking and provide a temporary home for the Bridge Community Education Centre (The Bridge), subject to a viable business case and the granting of planning permission. • An urgency decision was taken in accordance with the scheme of delegation to grant a licence to TCSL to commence works not requiring planning permission, effective 6/03/12. Reported to Cabinet on 15 March 2012. • Planning permission granted April 2012 for the works. • The Bridge moved into its new temporary home in May 2012. • October 2013 P&R Committee authorised the Executive Director Environment Development & Housing, Executive Director Finance & Resources and Head of Legal Services to enter into negotiations 	<ul style="list-style-type: none"> • Brownfield land brought back into efficient use. • Short-term support of TCSL to provide temporary stadium parking and temporary accommodation for The Bridge. • Continue support for TCSL to provide match day and event parking with potential capital receipt or revenue stream in the long term. • Potential for new student accommodation and educational facilities combined with stadium parking. • Potential to provide new permanent home for The Bridge. 	<ul style="list-style-type: none"> • Council and TCSL to complete licence for temporary use of the site for stadium parking and accommodation for the Bridge. • The council and TCSL to agree Heads of Terms for the proposed hotel next to the Community Stadium and redevelopment of FRL, and to be brought back to P&R before proceeding. • Continue officer support for The Bridge to seek a permanent home on or off site and as part of any redevelopment proposal.

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
		with TCSL regarding the proposed hotel next to the Community Stadium, redevelopment of the Falmer Released Land and agreed that draft Heads of Terms be brought back to P&R for final approval.		
<p>Amex Community Stadium</p> <p>The construction of a 22,500 capacity stadium for Brighton & Hove Albion Football Club together with supporting infrastructure, 2000m² of education accommodation and facilities for conferences, meetings and events. The stadium is built on land which is mostly owned by the city council, the remainder being owned by the University of Brighton. TCSL have also submitted a proposal for a 4-star 150 bedroom hotel on the land adjacent to the community stadium which was reported at 17 October P&R Committee Meeting.</p>	<p><i>Director:</i> Geoff Raw</p>	<p>The main stadium contract completed on 31 May 2011.</p> <p>The first game was played at the new stadium on Sat 16 July 2011.</p> <p>Temporary planning permission granted 22 June 2011 by Lewes DC for parking on adjacent land, part of which is owned by the Council, for 3 years.</p> <p>Terms agreed for parking at Park Wall Farm.</p> <p>Planning permission granted on 25 April 2012 for an additional 8,250 seats.</p>	<p>The new stadium is having a significant impact on the city. It is a landmark building at a key entrance point to the city and provides not only a high quality sporting venue but also a range of facilities for conferences, events etc and supports a programme of educational and community provision through Albion in the Community and other education providers.</p> <p>In its hiring policies for operation of the stadium both the Club and their contractors have actively sought local employees. Around 90% of those hired have been from BN postcodes.</p>	<p>An application for 8,250 additional seats at the stadium was considered at the Planning Committee on 25 April 2012.</p> <p>The Committee was minded to grant planning permission subject to completion of the s106 Planning Obligation and deeds of variation and the conditions and informatives as set out in the report.</p> <p>Various documents completed and Planning Permission granted 10.04.13.</p>
<p>Ultrafast Broadband</p> <p>The city council has submitted a bid to DCMS under the second phase of the Super-Connected Cities</p>	<p><i>Director:</i> Geoff Raw</p> <p><i>Project Mgr:</i></p>	<p>'Second tier' cities were invited to bid following a process of lobbying by the city's MPs and Members. There is a £50m pot to be bid for by 27 cities.</p>	<p>Funding will deliver an estimated 1,000 connection vouchers for SMEs to achieve a step change in connection speeds and wireless hotspots in public buildings.</p>	<p>Application Submitted: 17th September 2012.</p> <p>Voucher Connection Scheme opened Feb 2014</p>

Project Name & Description	Officer Lead	Background and current project status	Impacts & Outputs	Current project timetables and milestones
<p>Programme to improve digital connectivity in the city.</p>	<p>Alan Buck</p>	<p>The voucher connection scheme opened in February 2014 and has started issuing vouchers to businesses.</p> <p>We are also planning to use funding to install wireless hotspots in public buildings and reception areas to facilitate public access to our digital services. This element of the project has now passed the government's B1 Assurance checkpoint, meaning we are ready to procure. A list of council buildings has been drawn up and prioritised.</p>		<p>Date for spending of grant: By April 2015.</p>

