

# **ECONOMIC DEVELOPMENT & CULTURE COMMITTEE**

## **Agenda Item 2 (a)**

Brighton & Hove City Council

### **BRIGHTON & HOVE CITY COUNCIL**

#### **CULTURE, RECREATION & TOURISM CABINET MEMBER MEETING**

**4.00pm 6 MARCH 2012**

#### **COUNCIL CHAMBER, HOVE TOWN HALL**

#### **MINUTES**

**Present:** Councillor Bowden (Cabinet Member)

**Also in attendance:** Councillors Brown and Fitch

#### **PART ONE**

#### **62. PROCEDURAL BUSINESS**

##### **62(a) Declarations of Interests**

62.1 There were none.

##### **62(b) Exclusion of Press and Public**

62.2 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

62.3 **RESOLVED** - That the press and public be excluded from the meeting during consideration of items 79 and 80.

#### **63. MINUTES OF THE PREVIOUS MEETING**

- 63.1 **RESOLVED** – That the minutes of the Culture, Recreation & Tourism Cabinet Member Meeting held on 6 December 2011 be agreed and signed by the Cabinet Member.

#### **64. MINUTES OF SPECIAL MEETING**

- 64.1 **RESOLVED** – That the minutes of the Special Meeting of the Culture, Recreation and Tourism Cabinet Member meeting held on 7 February 2012 be agreed and signed by the Cabinet Member.

#### **65. CABINET MEMBER'S COMMUNICATIONS**

##### **Royal Pavilion and Museum Services**

- 65.1 The Cabinet Member stated that there were more success to report from the Royal Pavilion and Museum's service, due to a successful grant application to Heritage Lottery Fund, it had been possible to purchase a unique and valuable collection of Roman coins found in Burwash, West Sussex. He had also attended the launch of "Dreams of Here", an exhibition of new works by contemporary painters and printmakers at the Brighton Museum and Art Gallery. It is a lovely exhibition, it ran until 10 June.
- 65.2 Visitor numbers across all sites had continued to rise. The service had had 592,860 visits so far from April to January a 75,167 increase on the previous year. It was believed these figures were a result of programming e.g. family focused at Hove and the new exhibition gallery at Royal Pavilion. The "Dress for Excess" exhibition had received lots of national press and media coverage as had the Ice Rink, and a number of TV programmes had featured the Royal Pavilion.

##### **Culture**

##### **Brighton Festivals Month**

- 65.3 The Cabinet Member had also attended the launch of both the Brighton Fringe Festival and the main Brighton Festival at the end of February. It was understood that ticket sales for the Brighton Festival were up on what they had been for the same time last year already and that there were more events than ever in the Brighton Fringe. It looked as if May was set to be a successful Festival month for the city, much needed at the in this difficult economic time.

##### **Tourism and Conferences**

- 65.4 VisitBrighton's Convention Bureau had recently held their major sales and networking event at the House of Lords which the Cabinet Member had attended in order to showcase the city to an audience of conference organisers. The conference team were to be congratulated on a very professional and effective event which was already resulting in business leads for the city.

##### **Seafront**

- 65.5 The Volks Railway would be opening earlier this year to coincide with the start of the Easter school holidays. The first service would operate from 10.15am on Saturday 31 March.

### **Sports Development**

- 65.6 The Sports Development Team had run a whole range of successful events over the last month, including the Indoor Athletics Competition for primary and secondary schools, during their February Half Term, activities offering fun and free physical activity sessions in the City to over 300 people had taken place.
- 65.7 Working in partnership with the Youth Offending Team, “The Street Games Festival” had taken place at Stanley Deason Leisure Centre, 56 young people had taken part in activities.

### **Libraries**

#### **World Book Day Thursday 1 March 2012**

- 65.8 Brighton & Hove City Libraries Services had celebrated the 15<sup>th</sup> World Book Day on Thursday 1 March. The celebrations had included special sessions for babies to promote the “Bookstart” scheme which provided free books for babies and children. Over 110 local school pupils had engaged in lively question and answer sessions with authors Matt Haig and Dave Cousins, and other authors, Morag Ramsey and CJ Daugherty attended the Homework Clubs that evening. Some community libraries had held special preschool story times in partnership with Brighton Museums Services featuring some curious objects from the museums collections.
- 65.9 Events for adults had included the “Library Whispers” and the “Open Spoken Word Collective” browsing customers had been surprised with impromptu poetry recitals and the special information point at Jubilee Library had seen 40 members of the public enquire about the new eBooks service.

### **Budget**

- 65.10 The Cabinet Member stated that he could not end his communications without noting the not insignificant matter of the Council’s budget. This has now been set, and whilst the changes affecting his portfolio will be challenging, officers were now working through them in preparation for the new financial year. He wished to place on record his thanks to all of the officers for the time and expertise that had gone into dealing with unprecedented challenges. The one area which still needed clarification was the operation of the Mobile Library. Following various amendments to the original Green budget presented, he had asked officers to clarify the current position when this was clearer he would be happy to offer an update.

## **66. ITEMS RESERVED FOR DISCUSSION**

- 66.1 **RESOLVED** – That all items be reserved for discussion.

**67. PETITIONS****(i) Petition – Freestyle Gymnasiums**

67.1 The Cabinet Member considered a report of the Strategic Director of Resources detailing a petition signed by 22 people in the relation to the provision of Freestyle gymnasiums for teenagers.

67.2 Ms Oaten Beggs the lead petitioner presented her petition in the following terms :

67.3 The Cabinet Member thanked Ms Oaten Beggs for her petition stating that he recognised the importance of opportunities for young people to participate in sport and physical activity and gave the following response:

“ The council are currently formulating a New Sports Facilities Plan for Brighton & Hove, the purpose of which is to inform future facility developments in the city. The Plan will assess the quantity and quality of existing sports facilities based on feedback from a consultation process held during January and February 2012. From this assessment the council will identify a set of priorities and recommendations to help meet them. The requirement for facilities such as Freestyle Gyms will be assessed along with other sporting activities and future priorities identified according to need.

I understand that you were made aware of the consultation process and hope that you have taken the opportunity to complete the survey. The findings of the Sports Facilities Plan will form the basis of a report to Cabinet in April 2012.”

67.4 **RESOLVED** – That the contents of the petition be received and noted.

**68. PUBLIC QUESTIONS**

68.1 The Cabinet Member reported that 2 public questions had been received.

68.2 Ms Crook asked the following question:

“At the Cabinet meeting in December I presented on behalf of the “Save Saltdean Lido Campaign” and the local community a clear mandate asking the Council to seek to negotiate a surrender of the lease and if no agreement is made by the end of February, seek to take back the lease via CPO with legal papers served on 1 March. Please can the Council provide a detailed update on whether they have acted on the instructions of local residents.

68.3 The Cabinet Member gave the following response:

“Listening to local residents is one thing that I, as a democratically elected councillor, take very seriously, as is the need to stay within the law and the Council’s financial regulations.”

68.4 Ms Crook asked a supplementary question requesting to know whether the Lido was included as a priority on the Council's Sports Plan.

68.5 The Cabinet Member responded that although the venue was considered important the Sports Plan related to indoor venues.

68.6 Mrs Fishleigh asked the following question:

"The last meeting of this Committee approved the introduction of monitoring arrangements of the Lido pools during the next season. Please can you tell us what items monitoring will cover and how monitoring will be implemented?"

68.7 The Cabinet Member gave the following response:

"As indicated in the report to my Cabinet Member Meeting in December, the monitoring will relate to the opening of the Lido for swimming. The monitoring will be undertaken by members of the Sports Facilities Team who have considerable expertise in such work."

68.8 Mrs Fishleigh then enquired whether other checks took place e.g., water quality etc.

68.9 The Cabinet Member explained that the lessee was required to meet all health and safety requirements as a legal obligation and checks were made to ensure that these health and safety requirements were met.

## 69. DEPUTATIONS

69.1 The Cabinet Member considered the following deputation from from Ms Crook on behalf of "Save Saltdean Lido"

"Saltdean Lido – The Case for Enforcement Action and Compulsory Purchase Order:

69.2 B&HCC have commissioned numerous surveys on the condition of Saltdean Lido and served a notice to the leaseholder in May 2010 relating to this disrepair. Despite the lessee previously claiming to have complied with that notice and the council stating publicly that this is not their view the council still cite that their option a) seek compliance with the lease is a great focus. The Council are out of touch with what local people want, failing to act upon the community mandate presented by the Save Saltdean Lido Campaign."

69.3 The Cabinet Member thanked Ms Crook for her deputation the contents of which were noted.

69.4 **RESOLVED** – That the deputation be received and its contents noted.

## 70. LETTERS FROM COUNCILLORS

70.1 There were none.

## **71. WRITTEN QUESTIONS FROM COUNCILLORS**

71.1 There were none.

## **72. NOTICES OF MOTION**

72.1 There were none.

## **73. OPERATION OF SALTDEAN LIDO**

73.1 The Cabinet Member considered a report of the Strategic Director, Communities providing an update on the progress made on the recommendations approved at the Cabinet Member meeting on 6 December 2011 on the operation of Saltdean Lido.

73.2 The Head of Planning Strategy explained that the first stage warning letter had been sent and notwithstanding a delay inspection of the premises had taken place. The surveyor's report was currently awaited. It was not appropriate to take further action pending its receipt. However the Local Planning Authority would then seek to progress the matter further.

73.3 Councillor Fitch expressed his disappointment that this matter had not progressed more swiftly, it appeared that the matter had been hanging fire for sometime. The Cabinet Member stated that whilst he shared that sense of frustration it was important that the council proceeded within the law, certain processes had to be observed and the interests of all council tax payers had to be protected. Clear advice had been given that if the local authority sought to compulsorily purchase the site without observing due process, such action as well as having significant cost implications was likely to fail.

73.4 Mr Bruce, Principal Solicitor and Legal Adviser to the Cabinet Member Meeting gave an update on the current position. He explained that details from the appointed Valuer's Executive Summary were due to be placed on the council website imminently, which referred to a nil valuation for the surrender of the lease, on the basis that there was no "hope value" for the lease. It was known however that the lessee maintained that there was "hope value", on the basis that there was potential development on the site. Meetings had taken place with Officers of the Planning Department on several occasions and the lessee had been advised that such an expectation was unrealistic.

73.5 The Principal Solicitor went on to explain that arrangements had been made by the lessee for a representative from English Heritage to visit the site later that month. This was important because if, as envisaged English Heritage's independent assessment of the development position accorded with the council's it would bolster its stance in relation to surrender of the lease and a robust approach. A Compulsory Purchase Order remained a matter for the Planning Authority using local planning powers. The current functional divide between executive and non-executive decisions would be removed by the impending change to a Committee based decision making process although there

would still need to be “chinese walls” between the council’s roles as local planning authority and as landlord. Proceeding in the current manner (seeking to negotiate a surrender against the backcloth of potential action under planning legislation) represented the swiftest and most appropriate way forward.

73.6 Councillor Brown welcomed the report and the approach being taken especially in relation to health and safety issues, it was encouraging to note that after a number of years progress was being made. Councillor Brown expressed the hope that a robust approach would result in the matter being able to be resolved.

73.7 **RESOLVED** - That the Cabinet Member for Culture, Recreation and Tourism:

(1) Notes that the head lessee has agreed to have without prejudice negotiations regarding the possible surrender of the lease;

(2) Notes that an external valuer has produced a valuation of the Lido for surrender and/or compulsory purchase purposes;

(3) Notes that liaison with Saltdean Community Association (SCA) has been on-going, as, in accordance with the Full Council resolution, actions, actions undertaken by the council are with a view to not prejudicing the position of the SCA; and

(4) Notes that the local planning authority is considering the position under sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as referred to in section 4 of the report.

#### 74. PRIDE FESTIVAL EVENTS 2012

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B (4) of the Local Government Act 1972 (items not to be considered unless the agenda is open to inspection at least five days in advance of the meeting) were that: Officers have been in ongoing discussions and communications with potential organisers regarding their intentions to stage a Pride event in Brighton & Hove in 2012. The outcome of these discussions needed to be taken into account in drafting the report.

74.1 The Cabinet Member considered a report of the Strategic Director, Communities which set out details of two proposals received for Pride events in 2012. One was from an organisation formed for this purpose and the other was for an event to held in Preston Park only from the organisers of the 2011 event. The report sought landlord’s consent to stage Pride Festival activities over the weekend of 1 & 2 September 2012.

74.2 It was explained that each event would be subject to the conditions and guidance as detailed in the Health & Safety Executive (HSE) Purple Guide which set out the requirements that needed to 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 stated that for major events of this size a comprehensive event plan was required to be produced by the approved organiser

74.3 **RESOLVED** - That the Cabinet Member agrees that the Council:

(1) Continues to support Pride events over the weekend of 1 and 2 September 2012;

(2) Grants Landlord's consent to Pride Brighton & Hove to stage both the Parade through the city and the fenced and ticketed Pride Festival in Preston Park, with both elements subject to the conditions as set out in paragraph 3.8 of the report;

(3) Authorises officers to enter into formal agreements with the respective event organisers to determine fees, charges and conditions as appropriate;

(4) Agrees that Landlord's consent may be withdrawn should an organiser fail to comply with the conditions and recommendations as set out;

(5) Agrees that, following past practice, a deposit is held for the use of Preston Park to ensure that the Authority does not incur any costs that cannot be recovered and that this deposit does not incur any costs that cannot be recovered and that this deposit will only be released on reinstatement of the area to the satisfaction of the Authority; and

(6) Delegates authority to the Strategic Director, Communities to agree any necessary permissions associated with any other events planned for the Pride weekend such as St James's Street party or other community or cultural events.

## 75. OUTDOOR EVENTS POLICY

75.1 The Cabinet Member considered a report of the Strategic Director, Communities seeking approval to the Outdoor Events Policy as set out in Appendix 1 to the report and to the proposed fees and charges for 2012/13 as set out in Appendix 2 to the report. This would enable the Outdoor Events Policy to be approved and fees and charges to be set for 2012/13.

75.2 The Cabinet Member stated that it was recognised that outdoor events were very important to the visitor economy of the city and that major events had citywide implications. It should be noted that the Safety Advisory Group gave advice on the impact of major events in the city.

75.3 Councillor Fitch sought clarification of how it was determined whether an event was "minor" or "major" and the differentiation between them.

75.4 **RESOLVED** – (1) That the Cabinet Member approves the Outdoor Events Policy set out in Appendix 1 to the report; and

(2) Approves the fees and charges for outdoor events 2012/13 listed in Appendix 2 to the report.

## 76. ROYAL PAVILION AND MUSEUMS' RENAISSANCE

- 76.1 The Cabinet Member considered a report of the Strategic Director, Communities advising that the Royal Pavilion and Museums had been awarded a major grant under the Arts Council's New Renaissance Programme. The report set out the Renaissance Programme scheme and detailed the work that it would support.
- 76.2 The Cabinet Member stated that he was pleased to note this success which attested to the hard work and enthusiasm of the staff concerned, Councillors Brown and Fitch concurred in that view.
- 76.3 **RESOLVED** - That the Cabinet Member notes the proposed programme subject to the negotiations on the funding agreement with Arts Council England.

#### 77. ART UP INTERREGS BID

- 77.1 The Cabinet Member considered a report of the Strategic Director, Communities seeking approval and endorsement for the submission of the Interreg IVA Art Up Bid.
- 77.2 It was explained that the project was led by Care Co-operatives Ltd and involved 9 partners from England and France. The project aimed to involve young children, young adults and disabled people in developing confidence and skills via a series of collaborative artistic and cultural projects and events.
- 77.3 Councillor Brown expressed support for the scheme stating that she hoped that it was successful and that the appropriate level of matched funding was in place.
- 77.4 **RESOLVED** - That Brighton and Hove City Library Services' participation in the Interreg Iva Art Up Bid be approved and endorsed.

#### 78. UPDATE ON 2012 AND DIAMOND JUBLIEE CELEBRATIONS

- 78.1 The Cabinet Member considered a report of the Strategic Director, Communities detailing planned activities for 2012 and the Diamond Jubilee seeking endorsement of the proposed approach to supporting a summer of community based activity to support celebrations relating to both Olympic and Paralympic activity and the Diamond Jubilee.
- 78.2 The report focused on Brighton and Hove's plan of activity for 2012 to maximise opportunities presented by London hosting the Olympic
- 78.3 Councillor Fitch stated that he was pleased to note that a series of integrated sports activities were planned which would foster an interest in sport and fitness which would dovetail with the memorable events going on across the country.
- 78.4 Councillor Brown welcomed the initiatives proposed and welcomed the involvement of young people and disabled groups.
- 78.4 **RESOLVED** - That the Cabinet Member notes the contents of the report and plans for activities; and

(2) That the Cabinet Member endorses the approach to supporting a summer of community based activity to support celebrations relating to both Olympic and Paralympic activity and the Diamond Jubilee.

**SUMMARY OF ITEMS CONSIDERED WHILST THE PRESS AND PUBLIC WERE EXCLUDED**

**The Press and Public were excluded during consideration of the following events which were exempt under Paragraphs 2 and 3 of the Local Government Act 1972 as amended.**

**79. UPDATE ON 2012 AND DIAMOND JUBILEE CELEBRATIONS**

The Commissioner for Culture gave a detailed presentation in respect of arrangements made to date in respect of events arranged in relation to Brighton and Hove's Programme for 2012 and the Diamond Jubilee, this included information which was highly confidential at this stage.

**80. PRIDE FESTIVAL EVENTS 2012**

The Cabinet Member considered a report of the Strategic Director, Communities in relation to proposed Pride Festival Events in 2012.

There was a history in Brighton and Hove of the Lesbian, Gay Bisexual and Trans (LGBT) community staging an annual Pride event in the city for many years. The Part 1 report (see above) had set out two proposals for pride events in 2012 and had made recommendations as to the granting of Landlord's consent to Pride Brighton & Hove. The Part 2 report set out further confidential details in respect of both of the proposals and the chronology leading to the recommendations made in the Part 1 report.

The meeting concluded at 5.55pm

Signed

Chair

Dated this

day of