BRIGHTON & HOVE CITY COUNCIL MEETING

4.30PM 2 NOVEMBER 2017

COUNCIL CHAMBER - BRIGHTON TOWN HALL

AGENDA



Title:	Council
Date:	2 November 2017
Time:	4.30pm
Venue	Council Chamber - Brighton Town Hall
Members:	All Councillors You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Father John Wall
Contact:	Mark Wall Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

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Public Involvement 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.
Please note that the Public Gallery is situated on the second floor of the Town Hall. We have made a number of adjustments to make the venue as accessible as reasonably possible.
If you wish to attend a meeting but are unable to use stairs please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting to discuss your access requirements. We can then work with you to enable your attendance and also to ensure your safe evacuation from the building, in the event of an emergency.
The Town Hall has facilities for disabled people including a lift and wheelchair accessible WCs. In the event of an emergency evacuation there is a special lift which can be used as part of a managed evacuation to assist disabled people. Please refer to the Access Notice in the agenda below.
An infra-red hearing enhancement system is available within the council chamber to assist hard of hearing people. Headsets and neck loops are provided. If you require any further information or assistance, please contact the receptionist on arrival.

This Agenda and all accompanying reports are printed on recycled paper

AGENDA

Part One Page

26 DECLARATIONS OF INTEREST

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

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

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

Wards Affected

27 MINUTES 1 - 26

To approve as a correct record the minutes of the last Council meeting held on the 20th July, 2017 (copy attached).

Contact Officer: Mark Wall Tel: 01273 291006

Wards Affected

28 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

Wards Affected

29 TO RECEIVE PETITIONS AND E-PETITIONS.

Petitions will be presented by Members and/or members of the public to the Mayor at the meeting.

Wards Affected

30 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of 12noon on the 26th October, 2017 will be circulated separately as part of an addendum at the meeting.

Wards Affected

31 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

A list of deputations received by the due date of 12noon on the 26th October 2017 will be circulated separately as part of an addendum at the meeting.

Wards Affected

32 PETITIONS FOR COUNCIL DEBATE

27 - 32

Petitions to be debated at Council. Reports of the Monitoring Officer (copies attached).

- (a) Water Fountains. Lead petitioner Charles Ross (copy attached).
- **(b)** Hertford Infant School. Lead Petitioner Jo Wilding (copy attached).

Contact Officer: Mark Wall Tel: 01273 291006

Wards Affected

33 WRITTEN QUESTIONS FROM COUNCILLORS.

33 - 36

A list of the written questions submitted by Members has been included in the agenda papers (copy attached). This will be repeated along with the written answers received and will be taken as read as part of an addendum circulated separately at the meeting.

Contact Officer: Mark Wall Tel: 01273 291006

Wards Affected

34 ORAL QUESTIONS FROM COUNCILLORS

37 - 38

A list of Councillors who have indicated their desire to ask an oral question at the meeting along with the subject matters has been listed in the agenda papers (copy attached).

Contact Officer: Mark Wall Tel: 01273 291006

Wards Affected

35 CALL OVER FOR REPORTS OF COMMITTEES.

- (a) Call over (items 36 41) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.
- (c) Oral questions from Councillors on the Committee reports, which have not been reserved for discussion.

Wards Affected

6.30 - 7.00PM REFRESHMENT BREAK

Note: A refreshment break is scheduled for 6.30pm although this may alter slightly depending on how the meeting is proceeding and the view of the Mayor.

36 PROPOSED SUBMISSION SHOREHAM HARBOUR JOINT AREA ACTION PLAN

39 - 204

Extract from the proceedings of the Tourism, Development & Culture Committee meeting held on the 21st September, 2017; together with a report of the Executive Director for Economy, Environment & Culture (copies attached).

Contact Officer: Rebecca Fry Tel: 01273 293773

Wards Affected All

37 CODE OF CONDUCT FOR EMPLOYEES

205 - 232

Extract from the proceedings of the Audit & Standards Committee meeting held on the 19th September, 2017; together with a report of the Head of Law & Monitoring Officer (copies attached).

Contact Officer: Liz Boswell Tel: 01273 291307

Wards Affected All

38 REVIEW OF THE CONSTITUTION - OCTOBER 2017

233 - 270

Extract from the proceedings of the Policy, Resources & Growth Committee meeting held on the 12th October, 2017; together with a report of the Executive Lead Officer for Strategy, Governance & Law (copies attached).

Contact Officer: Elizabeth Culbert Tel: 01273 291515

Wards Affected All

REPORTS REFERRED FOR INFORMATION

39 ROUGH SLEEPING STRATEGY PROGRESS UPDATE

271 - 308

Extract from the proceedings of the Neighbourhoods, Inclusion, Communities & Equalities Committee meeting held on the 9th October, 2017; together with a report of the Executive Director for Neighbourhoods, Communities & Housing (copies attached).

Contact Officer: Simon Newell Tel: 01273 291128

Wards Affected All

40 READINESS FOR UNIVERSAL CREDIT IMPLEMENTATION

309 - 336

Extract from the proceedings of the Neighbourhoods, Inclusion,

COUNCIL

Communities & Equalities Committee held on the 9th October, 2017; together with a joint report of the Executive Directors for Finance & Resources and Neighbourhoods, Communities & Housing (copies attached).

Contact Officer: Peter Francis Tel: 01273 292542

Wards Affected All

41 GEORGE STREET OPENING HOURS

337 - 350

Extract from the proceedings of the Environment, Transport & Sustainability Committee meeting held on the 10th October, 2017; together with a report of the Executive Director for Economy, Environment & Culture (copies attached).

Contact Officer: Charles Field Tel: 01273 293329

Wards Affected All

NOTICES OF MOTION

42 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED 351 - 366 BY MEMBERS FOR CONSIDERATION

- (a) Conflict in Myanmar. Proposed by Councillors Morgan, Janio and Mac Cafferty (copy attached).
- **(b) Banning of Single Use Plastics.** Proposed by Councillor Bell (copy attached).
- **(c) Unnecessary Single-Plastics.** Proposed by Councillor Mac Cafferty (copy attached).
- (d) Universal Credit Transition. Proposed by Councillor Janio (copy attached).
- (e) Universal Credit. Proposed by Councillor Penn (copy attached).
- (f) Mitigating the Adverse Impact of Universal Credit. Proposed by Councillor Gibson (copy attached).
- (g) Affordable Housing and Rough Sleeping. Proposed by Councillor Moonan (copy attached).
- (h) Fair Pay for Public Sector Staff. Proposed by Councillor Morgan (copy attached).

Wards Affected All

43 CLOSE OF MEETING

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

Note:

- 1. The Mayor will put the motion to the vote and if it is carried will then:-
 - (a) Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first:
 - (b) Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.

The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.

- (c) Following completion of the outstanding items, the Mayor will then close the meeting.
- 2. If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.
- 3. Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.

Once all the remaining items have been dealt with the Mayor will close the meeting.

Date of Publication - Wednesday, 25 October 2017

Chief Executive Hove Town Hall Norton Road

COUNCIL

Hove BN3 3BQ

PUBLIC INVOLVEMENT

Provision is 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.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through www.moderngov.co.uk

We can provide meeting papers in alternate formats (including large print, Braille, audio tape/disc, or in different languages. Please contact us to discuss your needs.

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Mayor will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

ACCESS NOTICE

The public gallery to the council chamber – which is on the second floor – is limited in size but does have 3 spaces designated for wheelchair users. There is a lift to the second floor and an automatic door and ramped access to the public gallery. There is a wheelchair accessible WC close by. The seated spaces available in the gallery can be used by disabled people who are not wheelchair users, but able to use bench style seating.

The Town Hall has a specially designed lift that can be used in the event of an emergency evacuation. The size of the refuge areas (in the fire protected areas where people unable to use the stairs will wait to be assisted from the building via the lift), will accommodate 2 wheelchair users and several standing users.

COUNCIL

If the public gallery is full, Committee Room 1 on the ground floor can be used. This is an inclusive space with video conferencing facilities and AV links to the council chamber, automatic doors, level access, its own step-free fire escape, and nearby WC facilities including wheelchair accessible provision. From this room you can watch the meeting and take part in proceedings, for example if you have submitted a public question.

Please inform staff on Reception if you have any access requirements so that they can either direct you to the public gallery, or to the video-conferencing room as appropriate.

We apologise for any inconvenience caused

FIRE / EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and

Do not re-enter the building until told that it is safe to do so.

Council	Agenda Item 27
2 November 2017	Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 20 JULY 2017

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

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

PART ONE

13 DECLARATIONS OF INTEREST

- 13.1 Councillor Russell-Moyle declared a personal but non-prejudicial interest in Item 15, Grenfell Fire - Update from the Deputy Fire Officer; in that as an MP he was sponsored by the Fire Brigade Union;
- 13.2 There were no other declarations of interests in matters appearing on the agenda.

14 MINUTES

- 14.1 The minutes of the last ordinary meeting held on the 6th April, 2017 were approved and signed by the Mayor as a correct record of the proceedings;
- 14.2 The minutes of the Special Meeting held on the 18th May, 2017 were approved as a correct record of the proceedings, subject to the word 'optimised' in paragraph 3.5 being replaced by 'epitomised';
- 14.3 The minutes of the Annual Meeting held on the 18th May, 2017 were approved as a correct record of the proceedings and signed by the Mayor.

15 MAYOR'S COMMUNICATIONS.

15.1 The Mayor welcomed everyone to the meeting and noted that since taking up her role as Mayor, there had been a number of unprecedented events affecting communities across the country and whilst each in turn has been recognised, she felt as a Council,

Members should mark their respects and asked everyone present to stand for a minute's silence.

- 15.2 The Mayor then stated that she wished to offer the Council's congratulations to the Parking Team who had won a national parking award for the second year running. Brighton & Hove's Parking Annual Report had been named as the winner of the Best Report at the PATROL PARC Awards (Parking Annual Report Awards by Councils), held at the House of Commons. PATROL's annual awards ceremony recognises the local authorities who have published the best reports on their parking services. The Mayor then invited Charles Field, Paul Nicholls, Heidi Perrins and Chloe Robertson from the Parking team along with Councillor Mitchell to come forward to collect the award.
- 15.3 The Mayor then stated that she had been made aware that the Legal Services Team had recently retained their Lexell accreditation and had been commended on their 'gold' standards by the auditors. There were no non-conformities and over 30 commendations for good practice which the assessor had said was exceptional for such an audit.
- 15.4 In addition, the Mayor noted that the Democratic Services Team had been working towards and recently achieved the BSI Quality Management System ISO 9001 standard. They were one of a few Democratic Services Teams in the South-East who had sought to have their management systems externally accredited and this achievement added to the team's successful re-accreditation for the South East Employers Charter for Member Development.
- 15.5 The Mayor stated that both teams had yet to receive their certificates but she wanted to offer the Council's congratulations to Abraham as Head of Service and to all the staff in both the Legal Services and Democratic Service teams.
- 15.6 The Mayor then stated that she intended to call on the Leader of the Council, Councillor Warren Morgan to make a statement on Kings House. This followed the Notice of Motion that was approved at the Council meeting in April which called on the Leader to make a statement and meant that Council could receive the information first prior to it being given to the media and public.
- 15.7 Councillor Morgan thanked the Mayor and gave the following statement;

"Thank you Madam Mayor. I pleased to announce that contracts have been exchanged to sell the freehold of Kings House for £26,125,000.

As Members will be aware, the Grade II Listed building located on Hove seafront was formerly occupied by the Council, but as part of the rationalisation of the Council's offices was vacated in October 2016, with staff relocated to Hove Town Hall and Bartholomew House, Brighton.

The disposal will deliver a significant capital receipt for the Council. Selling Kings House will save us £2m a year in operating costs, with money already invested in better customer services for residents both online and in Hove Town Hall. The disposal was agreed following an extensive marketing campaign undertaken by Cushman & Wakefield. This generated interest from over 500 parties and approaching 40 offers when bids were called for in May 2017.

The marketing confirmed there was no interest from office users, but strong demand from residential developers seeing the potential of this landmark building to deliver a high quality housing development. The disposal is the first stage in the building being brought back into beneficial use. The purchaser, Mortar Nova Grand Avenue is a joint venture development vehicle between local developer Rego Property and London based Pacific Investments, their intention being to bring forward a planning application for residential conversion and development over the coming months.

Madam Mayor, this is more good news for the council's finances, and demonstrates that we were right to make the decision to withdraw from the previous sale agreement that we as an Administration inherited. We have sold this asset for more than anticipated. As a result we will have more money to invest. The money is in the council's bank account sooner than expected, meaning any uncertainty is now concluded. Madam Mayor we have delivered a better deal for the taxpayer and as a result, a greater investment in council services.

I'm sure all Members will want to thank officers for their work on this and applaud this success for the council and the city."

- 15.8 The Mayor noted the Leader's statement and stated that with the recent Grenfell fire she was aware that the issue of fire safety for high rise buildings was on many people's minds and noted that there was a Notice of Motion listed on the agenda on this subject and that the Chief Fire Officer, Dawn Whittaker and the Deputy Chief Fire Officer were present. She therefore intended to invite the Deputy Chief Fire Officer, Mark Andrews to provide an update to Members on the position of high rise buildings in the city; especially given the recent fire at Sussex Heights. Following which, she would allow a period of approximately 20 to 30 minutes for any questions from Members before then taking Item 25(e), the joint Notice of Motion on Grenfell Tower for debate.
- 15.9 The Mayor noted that in inviting the Chief Fire Officer and the Deputy Fire Officer to address the meeting it meant that the public items would be delayed. However, she felt that it was important to give time to the matter.
- 15.10 The Chief Fire Officer thanked the Mayor for the opportunity to attend the meeting and address the Council. She stated that the Deputy Chief Fire Officer would give an overview of the work being undertaken in the city following the Grenfell fire. She also noted that he was the national lead for the Fire Service on High Rise Buildings and had been invited to advise the National technical Panel on the Grenfell Tower fire.
- 15.11 The Deputy Chief Fire Officer stated that he had been working with colleagues across the country on fire safety in high rise buildings and how to meet the challenges of fire in buildings with multi-accommodation. He stated that as a result of the Grenfell fire the question of cladding and installations of sprinkler systems and the recommendation to 'stay-put' was being reviewed by the Technical Group that had been established. He also noted that following the disaster the East Sussex Fire & Rescue Service had set up a Working Group which agreed a 4-stage plan to address the situation in East Sussex and Brighton and Hove. The aim being to gather data and disseminate information to reassure residents. He stated that he had attended the City Assembly last week and

been able to answer a number of queries and provide additional information on fire safety.

- 15.12 In regard to the number of high-rise buildings across the county a long list of 200 was reduced to 43; with 21 identified in Brighton & Hove that were then listed for inspection over a 2-week period. He was pleased to say that only a few minor issues were identified with no significant risks and none of the cladding used at Grenfell found on the blocks on the city.
- 15.13 He stated that there had been a number of requests for information and to visit various buildings but it was felt that it was better to undertake a pro-active inspection of those buildings identified first. Having completed that exercise, it was intended to look at all others including NHS and private buildings. However, he wished to reiterate that high-rise did not necessarily mean high risk. At present the advice to stay-put in the case of a fire remained the recommended approach and this had proved effective in the recent incident at Sussex Heights. He also noted that the Fire Authority was supporting the installation of sprinkler systems in existing buildings and was working with the council to establish a work programme.
- 15.14 The Deputy Chief Fire Officer stated that the issue of cladding would be something that the Public Enquiry would need to investigate and receive reports on from the Technical Group. He stated that the various materials used at Grenfell were currently being tested and a report would be made in due course.
- 15.15 In regard to fire safety, the Deputy Chief Fire Officer reminded the Council that the fundamental requirement was to have effective smoke detectors in place. This was the most important factor for all homes and he asked that councillors continue to emphasise the need for these and to check them regularly.
- 15.16 The Mayor thanked both the Chief Fire Officer and the Deputy Chief fire Officer for attending the meeting and providing an update on matters relating to the Grenfell Fire. The Mayor then opened the matter up for questions from Members.
- 15.17 Members of the Council raised a number of questions relating to the use and type of cladding on high-rise buildings, the role and responsibilities of managing agents, whether fire tanks in high-rise buildings were necessary, whether fire extinguishers should be available on every floor, the number of fire audits undertaken in the city, the number of fire officers available to undertake those fire audits, how the number of fire engines required to attend an event was determined, how many times a fire officer using breathing apparatus should enter a building, advice on 'stay put', the use of enforcement notices and whether emergency lighting and fire alarms in high-rise buildings were checked.
- 15.18 The Chief Fire Officer and Deputy Chief Fire Officer responded to the questions and clarified that the use and type of cladding was being reviewed by the National Task Group, the fire service worked with managing agents to assist with meeting fire safety requirements but overall responsibility remained with the agents/owners of the buildings, fire tanks/hoses are not regarded as essential and have been removed from buildings as they encourage the public to use them rather than seek help from the fire service, there will be a risk assessment undertaken to determine the benefits of these, the provision of

fire extinguishers was again subject to a risk review as their installation could be more problematic, the fire service sought to educate owners on their responsibilities and undertook audits to provide information and advice, the audits tended to be on sample approach of the types of buildings in an area and the number of fire officers able to undertake the audits was being reviewed, in regard to a fire incident the senior officer on site would determine the number of appliances required, there were strict controls in regard to the use of breathing apparatus and the number of times crew entered a building, the recommended advice for residents to stay-put was still the case, although may be reviewed following the outcome of the Grenfell enquiry and this had worked well for the recent event at Sussex Heights, the use of enforcement notices was for the local authority's building regulations team to administer, the use/maintenance of emergency lighting and fire alarms was for the owners to manage and concerns would be raised as part of an audit process.

- 15.19 The Mayor thanked Members for their questions and the Fire Officers for their responses and for attending the meeting.
- 15.20 The Mayor then stated that she would move to Item 25 (e), the joint Notice of Motion and called on Councillor Morgan to move the motion.

(e) Grenfell Tower

15.21 Councillor Morgan thanked the Mayor and stated that, "Madam Mayor, the fire at Grenfell Tower in north Kensington, London on 14th June was a national tragedy. At least 80 people lost their lives, despite the heroic efforts of members of the London Fire Brigade. I'd like to express, on behalf of this council and the people of Brighton and Hove, our sympathy to the families of those who died, and our profound thanks and respect to those firefighters who ran into that burning building in order to save lives.

What they encountered on that night will have been beyond the imagination of most, and undoubtedly as traumatic and challenging as any major fire of recent times in this country. Those firefighters deserve not only our thanks as a nation but the utmost care and support moving forward in terms of post-traumatic stress.

It is beyond doubt that this tragedy has had, and will continue to have, profound implications - for local government, fire safety and the design and construction of high-rise buildings - for many years to come.

It is right that the lessons be learned through the appropriate enquiries, and that any necessary actions are undertaken with the full financial support of the Treasury. If there is one lesson we must draw from this terrible event, it is that we cannot make economies when ensuring peoples safety.

We believed that the days of housing those on lower incomes in sub-standard and unsafe accommodation was behind us. This disaster means we have to fundamentally re-assess that view.

Madam Mayor I would like to put on record my grateful thanks, which I know all Members, will want to echo, to the Housing Team in this council for the way they responded to this incident. From the Executive Director and Head of Housing who took

immediate action, through to front-line staff who delivered information to high rise tenants by hand, our response was I believe exemplary – many tenants have said that they were reassured by the prompt communication of information, and the publicising of means by which their questions could be answered.

My thanks too to the Communications Team who responded magnificently by proactively issuing information on line and to the media.

We have established that none of our blocks have the cladding used on Grenfell, and thanks to being one of the few authorities with dedicated fire safety officers, our procedures, checks and practices are in good order. A programme of retrofitting sprinklers in our high rises is underway.

There can however be no complacency - I know that as soon as any new information is known, any recommendations are forthcoming, or any new measures put in place by either the Fire Service or central Government, that we will respond accordingly.

I'm grateful to the opposition parties in jointly proposing this motion - on this we should be united in paying tribute, in thanking our staff and in reassuring our tenants that we are doing everything in our power to ensure their safety."

- 15.22 Councillor Janio thanked the Fire Officers for attending the council meeting and noted that warnings had not been headed by those responsible in Kensington & Chelsea. He welcomed the opportunity to move the joint motion on behalf of the Conservative Group. He felt that only a Public Enquiry would be likely to determine where the fault lay and welcomed the council's response. It was important that the council was resilient and able to address any areas of concern that arose from the review.
- 15.23 Councillor Mac Cafferty thanked the Leaders of the other two Groups for the ability to move the joint motion on behalf of the Green Group. He stated that the charred remains of the Grenfell Tower would be etched on everyone's minds and the council needed to be able to respond to the calls for action. There was a need to listen to those tenants and residents in the city who were rightly concerned and to make representations for improvement through the LGA. There was a need to review the current regulations and for the Government to enable local authorities to take action now rather than await the outcome of a Public Enquiry. It was reassuring to know that the council's officers and the fire service had checked the council buildings in the city; but he felt that tougher measures were needed for housing.
- 15.24 Councillor Meadows formally seconded the joint motion on behalf of the Labour & Cooperative Group; but reserved her right to speak at this point.
- 15.25 Councillor Mears formally seconded the joint motion and stated that it was important that the Council made representations to the Government and that the council sought to ensure its own safety procedures were up to date. She also welcomed the work being undertaken to ensure that any cladding used on council high rise buildings had been checked and tested and that this was taken into consideration for any future procurement process.

15.26 Councillor Gibson formally seconded the joint motion on behalf of the Green Group and stated that it was important to listen to tenants and residents who were calling for a review of the regulations. The council needed to show its support for such a review and to review its own procedures. He also noted the importance to ensure fire safety for non-public owned buildings and hoped that the good work could be extend licences to private rented properties.

- 15.27 Councillor Bewick stated that he wished to extend his thanks to the sitting MP for Kemptown who had sought to raise the matter in Parliament. He also noted that as elected representatives, all councillors had a basic social contract to follow-through with action and noted that the NC&E committee had at its last meeting asked the Executive Director to address a number of points in relation to any review by the council in regard to civil enforcement.
- 15.28 Councillor C. Theobald stated that she had been surprised that no mention of the need for sprinkler systems had been made in the notice of motion. She believed that they were an important element for the safety of high-rise buildings and care homes and hoped that any review of the regulations would take the need for these into account.
- 15.29 Councillor Penn thanked the Chief Fire Officer and Deputy Chief fire Officer for attending the meeting and stated that there was a need to consider how survivors and the bereaved were treated and support in such circumstances. She stated that the effects of such a trauma could be life-long and this needed to be acknowledged and accounted for in terms of support services for all those affected including members of the emergency services.
- 15.30 Councillor Deane stated that it was important for the local authority to work with the Fire Authority in dealing with fire prevention and she welcomed the information given by the Fire Officers earlier in the meeting. She hoped that the collaborative work would continue and noted that it was likely to help to reduce the number of actual fires that may have arisen without it.
- 15.31 Councillor Meadows noted that the council still had a fire safety team which worked closely with the Fire Service and that a sprinkler system had recently been installed in a sheltered housing block. She also noted that two further blocks had been identified by the fire Authority which was providing the funding to reinstall systems in them. She hoped that all Members would help to promote the need for fire safety in their wards. She also noted that Sussex University had installed fire doors which were alarmed and would go off if they were left or propped open. It was an initiative she hoped could be considered for council owned buildings as well as in the private sector.
- 15.32 The Mayor noted that Councillor Morgan did not wish to add to the debate and therefore stated that the Notice of Motion had been moved and put it to the vote.
- 15.33 The Mayor confirmed that the motion had been carried unanimously.

16 TO RECEIVE PETITIONS AND E-PETITIONS.

16.1 The Mayor noted that there were no petitions to be presented at the meeting.

17 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

17.1 The Mayor reported that 3 written questions had been received from members of the public and invited Mr. Harris to come forward and address the council.

- 17.2 The Mayor noted that Mr. Harris was not present and therefore a written response would be sent to him, and then invited Ms. Paynter to come forward and address the council.
- 17.3 Ms. Paynter asked the following question; "The long and ongoing silence regarding the King Alfred redevelopment is puzzling to many residents. What can the administration tell us at this time about internal meetings and discussions with the developers; what progress is being made?"
- 17.4 Councillor Morgan replied, "I fully appreciate our residents' desire for information on progress towards delivery of the King Alfred development and the whole city on to this project and other major projects to be delivered at the earliest opportunity. I can understand frustrations at what at times can seem like nothing is happening and that the council is withholding information needlessly.
 - I can confirm that the council and its partners are committed to moving forward with the project and are working very hard to achieve this. A great deal of detailed work is going on and the current apparent silence is a consequence of the commercially sensitive nature of discussions. It simply isn't possible to keep people as informed as we would ideally like but the council is committed to being as open as this complex process allows. Residents will certainly hear more at the appropriate time. I hope that this will be shortly."
- 17.5 Ms. Paynter asked the following supplementary question, "Councillor Morgan I'm really disappointed with your reply. At the last Economic, Development & Culture Committee meeting I was there with a public question and looking at the agenda. Within that agenda there was a 51 page strategic infrastructure plan and within those 51 pages there was a little mention about the King Alfred. Down the right-hand column they were giving phasing dates and the dates of 2022 to 2028 were plainly printed there for the King Alfred. That told me and it's told others that that means nothing is happening until at least 2020. So if it was printed in an agenda is there any reason why you couldn't be making some of that information more obviously publicly known?"
- 17.6 Councillor Morgan replied, "This Administration will be transparent and open with residents whenever and wherever possible. However, where commercial confidentiality means we cannot do that, while in pursuit of the best deal for the city and for taxpayers, then we will get on with the job that all of us were elected to do; acting in the best interests of the residents of Brighton & Hove."
- 17.7 The Mayor thanked Ms. Paynter for attending the meeting and putting her questions, she then invited Mr. Hawtree to come forward and address the council.
- 17.8 Mr. Hawtree asked the following question; "Can Councillor Robbins please tell us how much money the Carnegie Library would receive each year from the apparent proposal to rent out library space to a café?"

17.9 Councillor Robins replied; "I know that the library service is very important to you as they are to me. We've been working as a cross-party group to try and identify positive income generations from the Carnegie Library that will allow the library to remain in the same location. It's been very well supported by all parties. With respect to your specific question; we are in the middle of negotiations regarding the leasing of the space for a cafe at Hove library and so for reasons of commercial sensitivity, which I'm sure you will fully understand, we're unable to give information until the negotiations have been concluded and the lease agreed."

- 17.10 Mr. Hawtree asked the following supplementary question; "I should like to very much welcome your recent offer for this coming January to look again that the recent 600 percent increase in reservation charges. So with these things in mind, could a granular review of the Carnegie situation be arranged where, among other things, we have lately seen scant use of the locked room by the private college and opening hours each weekday are now an hour less than they were when you took charge. We've also recently found that for every new book one is jettisoned so I'd just like to summarise and say I think we need to keep looking at the way the Carnegie Library operates and is used by the people of Hove and also I'm so glad we've got £26 million coming this way so I hope that might be able to help."
- 17.11 Councillor Robins stated that he was unable to provide a response and would send Mr. Hawtree a written reply after the meeting.
- 17.12 The Mayor thanked Mr. Hawtree for attending the meeting and putting his questions and noted that brought the item to a conclusion.

18 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

- 18.1 The Mayor reported that one deputation had been received from members of the public and invited Mr. Fitzpatrick as the spokesperson for the first deputation to come forward and address the council.
- 18.2 Mr. Fitzpatrick thanked the Mayor and stated that: "Air pollution leads to worsening asthma symptoms, heart disease and even lung cancer, is being associated with changes in the brain linked dementia and can lead to children growing up with smaller lungs. Statistics show that in 2010 this kind of pollution lead to over 100 early deaths in Brighton and Hove.

Residents in Woodingdean have uncovered potentially illegal levels of air pollution specifically the toxic gas nitrogen dioxide. The results show that children walking to and attending Woodingdean Primary School would be particularly affected. Road transport is the major source of nitrogen dioxide with diesel vehicles being worst; some admit more than five times as much as petrol cars. The EU's legal annual limit for the gas is 40 micrograms per cubic meter but that limit isn't like a speed limit where 49mph in a 50mph zone avoids the speeding fine. Pollution levels below the limits are still bad for your health. We monitored 12 sites for two to four weeks. The results give a snapshot for that period and aren't directly comparable to annual data however if levels were as bad across the year as for the duration of our study it could mean that at least one site would be blighted by illegally polluted air.

The main cross roads in Woodingdean is significantly above the legal limit, two other sites are very close to breaching this limit, one of which is where the school children cross the road to get to school twice a day. Diesel vehicles and the heavy build-up of traffic in Woodingdean is likely to be one of the main reasons for this. There's a clear increase in traffic through the village. Most recently we believe due to the traffic related to redevelopment of the Royal Sussex Hospital site being routed through the village. The traffic also got noticeably worse after the road works near the Co-op shops and the traffic light changes that followed.

We would like to see what can be done to these traffic lights which are at the crossroads of Falmer and Warren Roads and Warren Way a modern way to improve the flow of traffic and reduce the amount of stationary traffic however this must not be done at the expense of pedestrians who need to cross at this Junction. We'd like to make it clear that we understand this isn't an issue solely for Woodingdean, indeed it is a citywide problem. As such we're very keen not to just shift the problem somewhere else instead we'd like the council to look seriously at citywide traffic reduction alongside bringing in measures to see the dirtiest vehicles restricted from sensitive areas and encourage the transition to cleaner vehicles as quickly as possible.

We would like the hospital trust to urgently review the construction vehicles being routed through Woodingdean with a view to ensuring that only those with the cleanest Euro 6 engines are used. To tackle traffic levels the council needs to take a stronger line on new developments with lots of car parking which generally just creates more traffic causing more congestion and pollution. It also needs to give more focus to improving choice so that people have genuine alternatives to using a car. That means greater bus priority and a significant investment in walking and cycling infrastructure for example with the advent of the e-bike even in Woodingdean there be real opportunities to reduce car traffic if the roads are made to feel safer and cycle friendly.

Suggestions from the pupils of Woodingdean Primary School involved in the monitoring included diverting traffic away from Woodingdean. This sounds like a quick and easy solution but the likelihood is that this just shifts the problem to another community in the city. The pupils also suggested getting more children to walk to school which means fewer car journeys dropping off the kids and educating drivers about the problems and the impact it has on others. Channelview Road is a busy cut through which has got worse with traffic queues on the main roads. I've personally had my cat killed by a speeding car, someone's crashed into our parked car and someone else threatened to beat me up after I asked him to slow down.

We don't want to wait until my child or anyone else's child is killed or hurt before something is done to address this issue. Please look at the supporting documents which are included and please refer this matter to the Environment, Transport & Sustainability Committee for debate."

18.3 Councillor Mitchell replied, "I am interested to hear about your project. I totally agree with you that we need more travel alternatives to the car and we as a council are constantly looking for opportunities to do this, as well as enabling and promoting sustainable forms of transport, as well as using planning policies such as car free housing. Your deputation will come to the Environment, Transport & Sustainability Committee for further debate, but I would like to take this opportunity to point out that the

council's ongoing air quality monitoring at the Woodingdean crossroads carried out to national standards demonstrates that pollution levels are below legal limits not above them. In addition I can confirm that the lorries from the hospital site are euro 6 and that goes for the main contractor and the subcontractor.

The council's air quality officer has already made contact with the school and he's very happy to share our methodology and our results with you and to help in any way that we can with the project. This is a very important situation and a very important topic. Separately I have asked officers to prepare a report on current air quality in the city across the city, the measures already taken, the measures currently underway to improve it, and possible next steps.

Thank you for coming and I look forward to the further debate activity."

- 18.4 The Mayor thanked Mr. Fitzpatrick for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Environment, Transport & Sustainability Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 18.5 The Mayor noted that brought the item to a conclusion.

19 WRITTEN QUESTIONS FROM COUNCILLORS.

19.1 The Mayor reminded Council that written questions from Members and the replies from the appropriate Councillor were taken as read by reference to the list included in the addendum which had been circulated as detailed below:

(a) Councillor Barnett

19.2 "Could the Chair of the Housing & New Homes Committee outline whether Hangleton Bottom would provide suitable land for much needed housing it were to be removed from the current East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan?"

Reply from Councillor Mitchell Chair of the Environment, transport & Sustainability Committee

19.3 "As required by the government, potential sites suitable for waste and recycling management have to be set out in a strategic plan. The East Sussex, South Downs and Brighton & Hove Waste and Minerals Site Plan was adopted at Full Council in February 2017. The content of the Plan was considered by an independent planning inspector appointed by the Secretary of State during a public examination in summer and autumn 2016. During the course of the examination the inspector raised concerns as to whether the Plan included sufficient safeguarded sites to deliver the new waste management capacity that is required in East Sussex and Brighton & Hove over the Plan period to 2026, especially as one of the previously safeguarded sites, Sackville Coal Yard, had been deleted from the Plan during the examination period. He concluded that, on balance, there are sufficient sites and that the evidence supported the inclusion of Hangleton Bottom.

If Hangleton Bottom were to be removed, this would reduce the number of safeguarded sites by a third and result in there being no safeguarded sites in Brighton & Hove. Given the inspector's conclusions it is highly likely an additional site would have to be found elsewhere. Waste management is essential infrastructure required to support new development and economic growth and Brighton & Hove, as the largest urban area, is one of the main generators of waste in the Plan Area. It is important that adequate provision is made to manage waste in the future and to facilitate the continued shift away from landfill.

So although we appreciate that you are raising the issue of suitable sites for housing, and we welcome any support from the Conservative group with respect to the provision of new housing, Hangleton Bottom is not applicable for the reasons as outlined above."

(b) Councillor Miller

19.4 "Could Councillor Robins please clarify the Council's legal position in regard to the staging of the annual Naked Bike Ride?"

Reply from Councillor Robins – Chair of the Tourism, Development & Culture Committee

19.5 "As a highway authority, Brighton & Hove City Council may place temporary restrictions on traffic within its area by way of a Traffic Regulation Order (TRO) made under Parts I and II of the Road Traffic Regulation Act 1984, as amended, or by using powers available to them under section 21 of the Town Police Clauses Act 1847. That process may be used in a situation where (amongst other things) there is a likelihood of danger to the public or obstruction is considered to have been/ will be created. However the naked bike ride is classed by the police as a demonstration rather than an event and as a result the police retain sole responsibility for regulating all aspects of it. [This is to be contrasted with the situation in relation to the London to Brighton bike ride, for instance, which involves a far greater number of participants and is classed as a charity event].

Because the police and not the Council regulate the naked bike ride, it is the police which has responsibility for managing any complaints which are received in and have powers to liaise with the organisers re the route and/or to arrest where the cyclists' behaviour is considered to be inappropriate and/or if it is likely to cause distress. The police are empowered to take any action they consider necessary, including by using S5 of the Public Order Act 1986 which prohibits the display of any writing, sign or other visible representation which is threatening, abusive or insulting, within the hearing or sight of a person that is likely to cause harassment, alarm or distress. Those powers are not available to the Council."

(c) Councillor Sykes

- 19.6 "Please provide an update on the status of these BHCC fees and charges:
 - Highways and skip licence income against projections in Q1 2017-18
 - Highways hoarding licence income against projections in Q1 2017-18
 - Building control inspections income against projections in Q1 2017-18

 Local Authority Land Charge Search fee income against projections in Q1 2017-18"

Reply from Councillor Hamilton – Deputy Chair (Finance) of the Policy, Resources & Growth Committee

19.7 "We are at an early stage of the year and forecasts can change significantly over the remainder of the year. However, as at Month 3 (June) the income for Skips and Scaffold licenses and Land Charge Search Fees would appear to be on target, while Hoarding license income is ahead of schedule, and Building Control Inspection income is somewhat down. In the case of Building Control, it is not yet clear whether or not the lower than expected income is due to the increase in the fees & charges or other general market factors.

The table below summarises the budget, income to date and forecasts."

Revised Fee & Charge Area	Full Year Budget	Budget to Date (June)	Actual to Date (June)	(Over) / Under to Date (June)	Full Year Forecast	Full Year Forecast (Over) / Under	Comments
	£'000	£'000	£'000	£'000	£'000	£'000	
Skip and Scaffold	177	44	47	(3)	177	0	Forecast to be on target
Hoarding	99	25	81	(56)	tbc	tbc	Forecast to be reviewed but a surplus anticipated.
Building Control Inspections	627	157	122	35	tbc	tbc	Forecast to be reviewed but a deficit anticipated. However, it is not clear if this is related to the increase in fees & charges or other factors.
Land Charge Search Fee	630	158	180	(22)	630	0	Income tends to drop in the winter so "on target" reported despite surplus to date.

20 ORAL QUESTIONS FROM COUNCILLORS

- 20.1 The Mayor noted that 8 oral questions had been received and that 30 minutes were set aside for the duration of the item.
- 20.2 The Mayor invited Councillor Janio to put his question to Councillor Robins.

(a) Gateway to the South Downs National Park

20.3 Councillor Janio asked the following question, "Following the statement by Brighton and Hove Energy Services Co-op regarding Hangleton Bottom, namely that, the plant would not meet the criteria of the local community considering the proximity of homes and the impact that it would have on local residents; would the Chair of the Tourism,

Development & Culture Committee confirm that the successful Conservative campaign to prevent the development of an anaerobic digester in the area means that Hangleton Bottom's removal from the Waste and Minerals Plan would enable it to be used as a mixed use residential development, that could also house a much needed gateway to the South Downs National Park?"

- 20.4 Councillor Robins replied, "Gateways to the South Downs National Park are clearly an important issue for the city given its proximity to the National Park. Gateways are also something that City Plan Part Two can further address through, for example, criteria based policy or through site allocations /designation around the city's edges (e.g. urban fringe sites), which would include Hangleton Bottom."
- 20.5 Councillor Janio asked the following supplementary question, "Would Councillor Robins confirm therefore that the Labour Administration will be supporting the Conservative campaign to turn Hangleton Bottom into a mixed use residential development that includes a gateway to the South Downs National Park?"
- 20.6 Councillor Robins replied, "I am not aware of the intentions of the land owners but would expect any proposals to have to go through the planning process."

(b) Secondary School Places in 2018

- 20.7 Councillor Page asked the following question, "Can the Chair of Children, Young People & Skills Committee tell me what steps the council will be taking to avoid repeating the situation this year where nearly 150 pupils received none of their 3 preferences especially in the light of the delayed opening of the new secondary school?"
- 20.8 Councillor Chapman replied, "We will continue to work with officers and the Admissions Team on providing parents with as much information as possible going forward. With the next round of the admissions process the admissions booklet has been rewritten and we're looking at developing an online tool as well, to help explain the situation a bit more to try and inform parents so they can make wiser choices. There will be enough places for children in the city and the authority will meet its statutory obligation to ensure that every child who wants a place in the city gets a place in the city."
- 20.9 Councillor Page asked the following supplementary question, "This year there was there was no change to the lack of priority of all those 150 children, they were given no priority in the random allocation when extra places came up. There appeared to be no knocking of school heads together to find places for these children and it sounds like nothing is going to be done for all the parents of next years' year sixes, so I hope the information is very clear Madam Mayor that they have no certainty that they will get any of their three choices. Does this show a lack of political leadership or does it show incompetence or does it show both?"
- 20.10 Councillor Chapman replied, "It shows neither of those things. Let me just reiterate to members across the chamber that when it comes to the new school that, as a local authority, we have responsibility for ensuring that every child has a school place, but we have very limited powers to enable us to do that. We have worked very hard as a local authority with all partners involved in ensuring that the new school opens as soon as

possible and we have done as much as we can we are now waiting on other people to go through their processes before it can open.

I believe there is also some confusion around what we can do legally and what the processes are. I will look to arrange a workshop for Members to attend so we can go through our obligations as a local authority and how the admissions process works."

(c) Maintenance Contracts in Housing

- 20.11 Councillor Mears asked the following question, "Before the independent review of the repairs partnering contact on the 27th of July, can the Chair of Housing confirm whether her statement that "the previous Conservative administration let a light touch contract" is her view, her administration's view, or information she has received from council officers?"
- 20.12 Councillor Meadows replied, "I mentioned that the Conservative administration had set up the Mears contract through Councillor Mears's administration when I was told that at the time the contract that was set up which continues until 2020 was a light touch contract."
- 20.13 Councillor Mears asked the following supplementary question, "If the Chair of Housing is implying that she received the information from council officers I need to inform this council I'll be making a formal complaint to the relevant government department. When we let this contract it was with the help and support of council officers and at no time where we told this would be a light touch contract as we would not have agreed to it and to add the same officers are now supporting this administration. So I think this point needs to be clarified because going by the answer from the Chair of Housing I will be making a formal complaint."
- 20.14 Councillor Meadows replied, "I think that is a matter for Councillor Mears to take forward if she wishes."

(d) Councillor Youth Services

- 20.15 Councillor Phillips asked the following question, "Could the Chair of the Children, Young People and Skills please clarify how the plans to move Brighton & Hove City Council youth service staff into the Integrated Team for Parents and Families is in the spirit of the amendments made at budget council which aims to protect not only our youth service i.e. children and families work but also the provision of detached youth workers?"
- 20.16 Councillor Chapman replied, "As you know we are going through a restructure of the inhouse services to provide services in the greatest area of need and to continue to work in partnership with voluntary sector and I'm happy to discuss with Councillor Phillips as well on another occasion in more depth about what's going on with the youth service."
- 20.17 Councillor Phillips asked the following supplementary question, "I'll take that to mean they'll be no more Brighton & Hove City Council youth service that technically the council will stop prioritising open access in-house youth service which and I think it is awful that that may well stop. The youth service bus came up as a much-loved resource

through the consultation; can the Chair of the Children, Young People & Skills Committee please confirm that this bus which amongst other things provides sexual health and education outreach to young people will remain as is?"

20.18 Councillor Chapman replied, "The bus will be retained for a further year and resources will be available for the wider youth teams and the voluntary sector."

(e) Public Toilets

- 20.19 Councillor C. Theobald asked the following question, "When I sent an email to the council at the beginning of May regarding the terrible state of the toilets at the Pavilion Gardens and I must say there were a quite a few letters in the Argus from residents about this so it wasn't just me' I was told there would be an improvement as a new contractor was taking over at the beginning of June. Well this improvement just has not happened. When will this improvement be happening? This is a facility in a prime position in our city, in pavilion gardens and it's important that we have something decent for our residents and visitors."
- 20.20 Councillor Mitchell replied, "I do quite agree with you and as you say we have now contracted a new provider Healthmatic, one of the UK's leading companies in the field. We are now currently in a period of transition and building inspections so that the improvements needed are indeed put in place. A report will be brought to the October PRG Committee that will set out a detailed business case for the investment in our public toilets that we want to make with a business plan and this will secure the modernisation of our existing facilities into the future. I am confident that Healthmatic will provide as good a service to the people of Brighton & Hove as they do to the other 120 local authorities that they contract to and their populations and I'm very hopeful of retaining our Best Loos of the Year award for another year."
- 20.21 Councillor C. Theobald asked the following supplementary question, "After what I've just heard that these toilets are really antiquated and they do need refurbishment but there's no reason why they shouldn't be clean at this stage and they're not. So this needs looking into now, not in the next committee meeting."
- 20.22 Councillor Mitchell replied, "I totally agree and when I was pondering over what the subject of Councillor Theobald's question might be, I said to Mr. Richard Bradley only this morning 'Richard you've got to pay particular attention to those pavilion garden toilets' and he assured me that he would."

(f) Cuts in Public Services

20.23 Councillor Sykes asked the following question, "We're just starting another round of budget planning for the next financial year and just to remind everyone, at Budget Council in February, the Administration's budget cut a whole swath of services - youth services, community care, mental health, early years, substance misuse, HIV, voluntary and community sector, and more. A few weeks later we are arguing about spare cash including apparently recurrent cash and just to remind people again at budget council Green strategic amendments made the financial situation for this council better in this financial year as evidence in part by the answers to my written question. So my question is where is the Administration's strategic financial management?"

20.24 Councillor Hamilton replied, "Well I'm somewhat surprised by that question because Councillor Sykes knows that we have a four year plan and the strategic directions in which we're traveling. With regard to what was being said about making cuts and so on it was only at the last meeting that Councillor Sykes said that the Green Administration made, I think he said, £60 or £70 million worth of cuts so therefore that must have reduced public services. So we're all in the same boat on this all I can say is I think we've done very well in the present time we've kept most of our services going as far as possible, we haven't closed any libraries which is something not many councils can say.

We have already started on next year's budget. With regard to the expenditure that was referred to recently the Green Party supported us on everything apart from one of those items that we spent and we took the view, as I take now, that if you come at the end of the year and you've got a little bit of money left over I think the public deserve and expect to see you put something back into the community and that's what we've done. I'm quite proud of a record with two budgets going through and we're still providing all the services here in a satisfactory way and we are putting money back into various other services that would be welcomed and we did get support from that and I'm very pleased for that support."

- 20.25 Councillor Sykes asked the following supplementary question, "Personally I think that the Administration, whether local or national, shouldn't front-load cuts to jobs and services to build up pre-election giveaway funds. Do you agree and what are you doing in the current budget planning round to avoid unnecessary cuts?"
- 20.26 Councillor Hamilton replied, "When I had meetings quite recently with Councillor Janio, Councillor Wealls and with Councillor Sykes I did say that I'm quite happy to meet any of them and have a discussion about this with regard to going forward to the budget. Although we have budget review group meetings where the officers give us some information I think there is scope for more councillor to councillor meetings to discuss these things. But I'm quite honest when I say that looking the next year's budget I think because we've been very careful and prudent and done reasonably well in the last two years. I'm thinking that next year we are going to be in a situation hopefully where things aren't as bad as they have been and I think it's due to the careful consideration given to what we've been doing.

"I'm quite happy to meet any finance spokesperson at any time to have a discussion about anything they were very particularly interested in to see if we can work together rather than leaving it right until the budget day itself when we suddenly end up with amendments coming out of thin air. It would be nice wouldn't it if you have these meetings before that mean you could go for a budget meeting knowing pretty well exactly what was going to happen that is my goal and I'm quite happy to meet with other people to discuss that."

(g) Councillor Surrey Street

Councillor Deane had asked the following question, "Councillor Mitchell you will recall that on the 5th of May a meeting was held with some residents of Surrey Street to update them on the alleviation of their daily nightmare with cabs using the street to queue up for the station. It was indicated by GTR at that meeting that they are now

amenable to the rear of the station being used. This came about from pressure from their buses. That was some 11 weeks ago now and I have heard nothing since so I'd be most grateful if you could give me an update."

20.27 Councillor Mitchell replied, "I certainly can and I was made aware of the meeting on the 5th of May, convened by the local MP, but unfortunately Councillor Deane I wasn't invited to that meeting. However, as you will be aware, I have chaired a series of multi-stakeholder meetings with GTR the rail company, local bus company, yourself as a ward councillor, the police, and council officers. There have also been, as you say, public meetings set up to discuss the issue. More recently senior council highway officers have been having further dialogue with representatives from GTR in order to agree a solution that will provide better access to and from the station for taxies.

I fully appreciate the damaging impact that the current situation poses for residents and I appreciate their patience while we are now working to improve the situation that we inherited. I am pleased to be able to inform you that following the most recent meeting GTR have now made a firm commitment to develop proposals to improve access arrangements for customers at the front and rear of the station. As the land owner GTR will be working on the detail of these proposals and the associated timescales for a viable scheme in the coming months and I will of course keep ward councillors informed of this welcome progress."

- 20.28 Councillor Deane asked the following supplementary question, "When will residents start to see a difference?"
- 20.29 Councillor Mitchell replied, "I understand that GTR are keen to move ahead with this quickly and that therefore the council will be offering every bit of help possible to enable them to bring forward better proposals and to have them implemented so the residents get a bit of rest-bite from the awful problems that occur at the moment."
- (h) Health and Emotional Wellbeing of Looked After Children
- 20.30 The Mayor noted that Councillor Knight had asked for her question to be deferred to the next meeting and therefore concluded the item.
- 21 CALL OVER FOR REPORTS OF COMMITTEES.
- (a) Callover
- 21.1 The Head of Democratic Services confirmed that Items 22 and 24 had been reserved for discussion:
 - Item 22 Community Safety and Crime Reduction Strategy
 - Item 24 Welfare Reform Update
- (b) Receipt and/or Approval of Reports
- 21.2 The Head of Democratic Services confirmed that the following report on the agenda with the recommendations therein had been approved and adopted:

Item 23 - Orbis Joint Committee

(c) Oral Questions from Members

21.3 The Mayor noted there were no oral questions arising on the item that had not been called.

22 COMMUNITY SAFETY AND CRIME REDUCTION STRATEGY

- 22.1 Councillor Daniel noted that the report had previously been to the council and stated that she wished to commend it to the council for adoption. A great deal of work had gone into the report and the drafting of the policy with a view to keeping the community as safe as possible. It was likely that further changes would result at a national level but she hoped that with the support of partner agencies and community groups the strategy could be made to work at a local level.
- 22.2 Councillor Mac Cafferty stated that anti-social behaviour was on the increase in his ward and Brunswick & Adelaide residents felt under siege. He therefore had to ask when would the Administration raise these issues with Sussex Police and seek to address the problems being faced on a daily basis. A number of incidents were not being recorded and this had to change and Sussex Police needed to take action. He hoped that this would change and residents would see a difference.
- 22.3 Councillor Deane referred to page 21 of the report and stated that residents were suffering from the late night economy culture and she had raised the matter at the Licensing Committee and asked for an amendment to be made within the strategy to reflect this matter but it had not materialised.
- 22.4 Councillor Simson referred to page 64 of the agenda and noted that she had raised the issue of the Housing directorate having its own anti-social behaviour team and a duplication in terms of policy and action taken. She also noted that changes were being made in the policing of the night-time economy and queried how this would be addressed.
- 22.5 Councillor West stated that he was concerned that issues being raised had not been picked up at the committee stage. It was an important strategy and he broadly welcomed the priorities identified but noted that he had asked for special attention to be applied to anti-social behaviour and hate-crime. He supported the concerns raised by Councillor Mac Cafferty and suggested that it would help to have a police presence at LAT meetings.
- 22.6 Councillor Yates noted the comments and suggested that concerns could be raised with the Police & Crime Commissioner and the use of PSPO's could be reviewed in regard to dealing with anti-social behaviour. He hoped that the strategy could be agreed and welcomed the report.
- 22.7 Councillor Daniel stated that she hoped the strategy could be approved and stated that she would ask officers to review and update the Licensing Policy, having regard to comments made during the debate. She wished to reassure Councillor Mac Cafferty

that as a member of the Police & Crime Panel she had raised questions at various meetings, and would continue to do so although no answers had been forthcoming.

22.8 The Mayor noted that the recommendations had been moved and put them to a vote which was carried unanimously.

22.9 **RESOLVED**:

- That the Community Safety and Crime Reduction Strategy 2017 20 be approved; and
- (2) That the suggested priority areas for reducing crime and disorder in Brighton and Hove, as agreed by the Neighbourhoods, Inclusion, Communities and Equalities Committee be endorsed.

23 ORBIS JOINT COMMITTEE

23.1 **RESOLVED**:

- (1) That the establishment of the Orbis Partnership Joint Committee with effect from 1st April 2017, constituted in accordance with the Terms of Reference set out at Appendix 1 be agreed;
- (2) That it be noted the appointment of the Joint Committee is dependent upon all the bodies represented on the Joint Committee agreeing that it be appointed;
- (3) That delegated authority be granted to the Chief Executive and the Executive Director Finance & Resources to take all measures necessary for or incidental to:
 - (i) the implementation of resolutions (1) and (2) above, and
 - (ii) the on-going management and administration of the Joint Committee;
- (4) That the Monitoring Officer be instructed to amend the council's constitution to reflect the establishment of the Joint Committee; and
- (5) That the appointment of Councillors Hamilton and Wealls to the Orbis Joint Committee be agreed.

24 WELFARE REFORM UPDATE

- 24.1 Councillor Daniel introduced the report which provided an update on the progress of the government's welfare reform programme and in particular the roll-out of Universal Credit in Brighton and Hove and the council's response to it. She also noted that a Members Advisory Group had been established and was working closely with officers on how those most affected could be supported and options for the council to consider.
- 24.2 Councillor West stated that he had asked for the report to be referred to the Council for information in view of the impact the changes were likely to have and to encourage all Members to consider what welfare reform meant for the most vulnerable in the city. He noted that in recent years the number of private sector landlords willing to rent property

to those on benefits had reduced from 46% to 18%. He believed this was likely to get worse and create more demand for housing.

- 24.3 Councillor Bewick endorsed Councillor West's comments and stated that he hoped all Members would look to take action on this matter. He noted that there were a number households already reliant on food banks and 2,000 children in the city who were reliant on temporary or bed & breakfast accommodation. There was a potential risk for the number of homeless to increase and this needed to be prevented.
- 24.4 Councillor Taylor acknowledged that it was an emotive subject and stated that when universal credit was fully rolled out then the impact could be seen. He noted that the level of employment was at its highest for a number of years and that income inequality was at its lowest for thirty years.
- 24.5 Councillor Gibson welcomed the report and suggested that it should be taken into consideration by other committees in view of the implications that had been highlighted. He noted the reduction in benefits for the poorest in the city whilst England was the 6th richest country in world and queried how this could be the case. He hoped that every Member would consider the implications of the report for those in the city and the council itself.
- 24.6 Councillor Daniel welcomed the comments and noted that resources were being put into this area and that the Members Advisory Group would continue to look at options that were available to tackle the situation.
- 24.7 The Mayor stated that the report had been referred for information and moved that it be noted.
- 24.8 **RESOLVED:** That the report be noted.

25 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION:

(a) Voter Registration for Young People

- 25.1 The Notice of Motion as listed in the agenda was proposed by Councillor Russell-Moyle on behalf of the Labour & Co-operative Group and seconded by Councillor Yates.
- 25.2 Councillor Bell moved an amendment on behalf of the Conservative Group, which was seconded by Councillor Miller.
- 25.3 The Mayor noted that the Conservative amendment had been accepted in full and therefore put the following substantive motion to the vote which was carried unanimously:

"This council:

Requests the Chief Executive explores working with the local universities and local colleges as applicable, in order to discuss the potential for the implementation of the "Sheffield model" voter registration approach for students in time for the September

2017 student intake and will work with the Government on their investigation and review of double voting; and

Acknowledges the work undertaken by the Electoral Services team that resulted in increased numbers of registered voters, including younger people, for the May 2017 General Election and welcomes their current efforts."

25.4 The Mayor confirmed that the motion had been carried.

(b) Off-Plan Sales

- 25.5 The Notice of Motion as listed in the agenda was proposed by Councillor Cattell on behalf of the Labour & Co-operative Group and seconded by Councillor Meadows.
- 25.6 Councillor Nemeth moved an amendment on behalf of the Conservative Group which was seconded by Councillor Mears.
- 25.7 The Mayor noted that the Conservative amendment had been accepted in full and therefore put the following substantive motion to the vote which was carried unanimously:

"This Council requests that:

- (1) The Chief Executive writes to Secretary of State for Communities and Local Government to seek the introduction of new primary legislation for all local Authorities to ring-fence for a prescribed period of time as determined locally the sale of properties 'off-plan' at a discount to:
 - first-time buyers who are local residents who have expressed an interest following a call for such expression of interest
 - · Registered Providers, and
 - Local Councils

After which prescribed period of time such properties would then be offered to all other local potential buyers, prior to UK commercial and overseas investors;

- (2) That prior to the implementation of any guidance received, a report be produced and presented to Tourism, Development and Culture Committee to advise the likely impact such powers will have on:
 - a) future housing development projects by private entities in the City,
 - b) local property prices,
 - c) potential additional homes provided, and
 - d) quantity of and proportion by development set aside for affordable homes."
- 25.8 The Mayor confirmed that the motion had been carried.

(c) Commitment to Ethical and Sustainable Procurement

25.9 The Notice of Motion as listed in the agenda was proposed by Councillor Greenbaum on behalf of the Green Group and seconded by Councillor Sykes.

- 25.10 Councillor Greenbaum stated that she wished to revise the motion in view of information that had come to light and therefore drew Members' attention to the revised wording that had been circulated with the addendum.
- 25.11 The Mayor noted that the revision to the motion had been accepted by the council and therefore put the following substantive motion to the vote which was carried unanimously

"This Council notes previous work undertaken under Administrations of all colours in developing local policy on environmental and social sustainability, and calls on the Council to update and deepen its Sustainable Procurement Policy (last updated December 2014) by resolving to:

Request that the Procurement Advisory Board (PAB) explore the adoption of a new international guidance framework for Sustainable Procurement (ISO 20400 quality standard) as a best practice benchmark for our Council, thereby providing leadership in this area and demonstrating the high standard we expect in quality, sustainability and ethical procurement from our suppliers, and that PAB provide a report on this work to the Policy, Resources & Growth Committee."

25.12 The Mayor confirmed that the motion had been carried.

(d) Cycling Strategy

- 25.13 The Notice of Motion as listed in the agenda was proposed by Councillor Druitt on behalf of the Green Group and seconded by Councillor West.
- 25.14 The Mayor then put the following motion as listed to the vote, which was carried unanimously:

"This Council welcomes the imminent launch of the city's Bike Hire Scheme and notes the importance of cycling in improving health, enhancing air quality and reducing congestion. This Council further acknowledges the successful initiatives the council has pursued under all parties to encourage cycling in the city, such as the Local Transport Plan, the Cycling Ambition initiative and the Space for Cycling commitment:

This Council resolves to:

Request that a report be brought to Environment, Transport & Sustainability Committee outlining options for implementing a specific and ambitious cycling strategy for Brighton and Hove, with information included that would help to:

 a) Identify what progress has been made against the cycling goals of the Local Transport Plan, to encourage a healthy cycling culture whereby cycling is safe, easy and enjoyable;

b) Explore options for the continued development of better cycling infrastructure such as the creation of a 'Brighton and Hove Cycle network' (modelled on the successful London Cycle Network) of joined up and marked routes, connecting sections of 'stranded' routes and improving the cycling experience across road junctions;

- Explore the funding options available (such as grants, Section 106 agreements and the Community Infrastructure Levy) to support improved cycling infrastructure, more cycle parking and greater use of initiatives like personal travel planning, employee purchase schemes and rider and maintenance training;
- d) Facilitate greater engagement with residents and cycling groups in the city to ensure maximum support for a cycling strategy and to encourage the creation of political 'Cycling Champions' across all parties."
- 25.15 The Mayor confirmed that the motion had been carried.

(e) Grenfell Tower

25.16 The Mayor noted that the item had been taken earlier in the agenda under item No.15. (15.21 of the minutes).

26 CLOSE OF MEETING

26.1 Prior to closing the meeting, the Mayor stated that she was aware clarification had been sought with regard to the Leader's statement relating to the sale of Kings House earlier in the meeting and therefore gave the following statement:

"Finally, I understand there were some questions during the break regarding the sale of King's House. For the avoidance of doubt, I would like to clarify, in case there is any ambiguity, that:

- Exchange of contracts has taken place,
- The contract is unconditional in the sense that it is not conditional on planning permission being granted;
- In accordance with normal conveyancing practice, the deposit has been paid and the balance will be paid when completion takes place.

I hope that is clear."

26.2 The Mayor thanked everyone for attending and closed the meeting.

The meeting concluded at 9.25pm

Signed Chair

Dated this day of 2017

Council	Agenda Item 32 (a)	
2 November 2017	Brighton & Hove City Council	

Subject: Water Fountains To Reduce Rubbish and

Pollution

Petition for Debate

Date of Meeting: 2 November 2017

Report of: Executive Lead Officer for Strategy, Governance

& Law

Contact Officer: Name: Mark Wall Tel: 01273 291006

E-mail: mark.wall@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 The e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 2,595 signatures confirmed at the time of printing the report.

2. RECOMMENDATIONS:

2.1 That the petition is noted and referred to the Environment, Transport & Sustainability Committee for consideration at its meeting on the 28th November 2017.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:

3.1 The Petition

Water Fountains to Reduce Rubbish and Pollution

"We the undersigned petition Brighton & Hove Council to provide research into a full costing for setting up 6 simple drinking "fountains" (taps) capable of being used to fill bottles around the town in order to attempt to reduce the excessive use of plastic in purchased water bottles and the consequent pollution and cost of rubbish disposal. Such a costing should take into account any savings from reduced rubbish as well as the construction and running costs of each fountain and could exact a small levy on supermarket rent and rates to contribute to the running costs."

Lead Petitioner – Charles Ross

Additional Information

In this way we can plan a future where no water is sold in bottles in Brighton and people carry a bottle knowing there are multiple water refill points throughout the city. The fountains could be made into more elaborate and ornamental structures through crowd funding which would add to the charm of the town and contribute to reduced litter in the streets, beaches and countryside.

- 3.2 The options open to the council are:
 - To note the petition and take no action for reasons put forward in the debate; or
 - To refer the petition to the relevant Committee meeting; or
 - To refer the petition to the relevant Committee meeting with recommendations.

4. PROCEDURE:

- 4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:
 - The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
 - (ii) The Mayor will then open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Committee Chair to respond to the petition and move a proposed response. The Mayor will then call on those councillors who have indicated a desire to speak in the matter, before calling on the relevant Committee Chair to respond to the debate;
 - (iii) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
 - (iv) After the 15 minutes set aside for the debate, the Mayor will then formally put:
 - (v) (a) Any amendments in the order in which they are moved, and (b) The substantive recommendation(s) as amended (if amended).

Council	Agenda Item 32(b)	
2 November 2017	Brighton & Hove City Council	

Subject: Hertford Infant School

Petition for Debate

Date of Meeting: 2 November 2017

Report of: Executive Lead Officer for Strategy, Governance

& Law

Contact Officer: Name: Mark Wall Tel: 01273 291006

E-mail: mark.wall@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 The e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 1,570 signatures confirmed at the time of printing the report.

2. RECOMMENDATIONS:

2.1 That the petition is noted and referred to the Children, Young People & Skills Committee for consideration at its meeting on the 13th November 2017.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:

3.1 The Petition

Hertford Infant School Consultation

"We the undersigned petition Brighton & Hove Council to abandon the proposal to halve the admission numbers for Hertford Infant School."

Lead Petitioner – Jo Wilding

Additional Information

- The Infant and Junior Schools are the heart of our community and play an important role in many of the improvements to our neighbourhood in recent years.
- 2. Reducing the intake in the infant school will feed through to the junior school and mean significant cuts to the budgets of these schools in an

- area which is already recognised as one of the most deprived in the city, to the disadvantage of children who are already underprivileged.
- 3. While we acknowledge that there may for (at the moment) a dip in the child population in Brighton as a whole, we do not believe this is the case in Hollingdean.
- A number of new houses are being built or planned in our neighbourhood, including two- and three-bedroom council houses which will most likely be allocated to families with children, maintaining the child population is this area.
- We are concerned that no alternatives appear to be under consideration, such as reducing the intake of one of the four-class entry schools to three, instead of halving Hertford's entry and forcing local children out of their closest school.
- 6. Not all children or families would be comfortable with a four-class entry school, yet many families would be left with no choice. The two Hertford schools offer great green space, dedicated provision for special needs and a small enough school that all adults and all children know one other but again some children would be forced out into much bigger schools.
- 7. We request that an Equalities Impact Assessment be carried out before any more consideration is given to reducing the size of Hertford's intake.
- 8. We request that the entry capacity of both Hertford Infant and Hertford Junior School remain at sixty per year."
- 3.2 The options open to the council are:
 - To note the petition and take no action for reasons put forward in the debate; or
 - To refer the petition to the relevant Committee meeting; or
 - To refer the petition to the relevant Committee meeting with recommendations.

4. PROCEDURE:

- 4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:
 - The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
 - (ii) The Mayor will then open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Committee Chair to respond to the petition and move a proposed response. The Mayor will then call on

- those councillors who have indicated a desire to speak in the matter, before calling on the relevant Committee Chair to respond to the debate;
- (iii) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
- (iv) After the 15 minutes set aside for the debate, the Mayor will then formally put:
- (v) (a) Any amendments in the order in which they are moved, and (b) The substantive recommendation(s) as amended (if amended).

Council	Agenda Item 33
2 November 2017	Brighton & Hove City Council

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions have been received from Councillors and will be taken as read along with the written answer which will be included in an addendum that will be circulated at the meeting:

(a) Councillor Sykes

"With reference to the £102,000 approved "for parks and playgrounds including inter alia paving, seating, general environment e.g. planting, play equipment etc." from underspend, can the Lead Member please provide a ward by ward breakdown of the planned spend."

Reply from Councillor Mitchell – Chair of the Environment, Transport & Sustainability Committee

(b) Councillor Sykes

"Can the Lead Member please provide the latest data on (a) delays to planning applications i.e. what percentage are dealt with on time and (b) on how many planning applications a month does the council ask applicants for a time extension?"

Reply from Councillor Cattell - Chair of the Planning Committee

(c) Councillor Sykes

"Following consultation, communal refuse and recycling collection in the garden squares in Brunswick and Adelaide ward was passed for implementation by Environment Transport and Sustainability Committee on 29th Nov 2016. Residents of all opinions on this matter have been wondering what has happened to this decision and whether it will in fact be implemented. Please can Councillor Mitchell provide an up to date programme for implementation of this scheme."

Reply from Councillor Mitchell – Chair of the Environment, Transport & Sustainability Committee

(d) Councillor Barnett

"After the recent fatality and serious accident in Old Shoreham Road, can an assurance be given that this road, which runs through both Hangleton & Knoll Ward and Hove Park Ward, is given very serious and urgent consideration for extra safety measures, including a speed camera and extra pedestrian crossing points."

Reply from Councillor Mitchell – Chair of the Environment, Transport & Sustainability Committee

(e) Councillor Gibson - Housing Benefit Payments

"Please can you supply the actual costs for each of the last five years of housing benefit payments made to fund landlord charges:

- a) Private rented housing
- b) Council housingc) Temporary accommodation
- d) Emergency accommodation
- e) Housing association

And please indicate the number of claims for each accommodation type."

Reply from Councillor Meadows - Chair of the Housing & New Homes Committee

(f) **Councillor Gibson -** Additional rental income from new council housing

"Please can you indicate the expected total number of new council homes arising from the new homes for neighbourhoods programme as of April 2018? And for these homes estimate the annual rental income that is due to the council for the financial year 2018/19."

Reply from Councillor Meadows - Chair of the Housing & New Homes Committee

(g) Councillor Mac Cafferty

"Further to a written question to Cllr Mitchell in January on energy efficiency, I was informed that the administration is preparing an energy plan. Can I ask where that plan is and when it will be coming for full scrutiny from Councillors?"

Reply from Councillor Mitchell - Chair of the Environment, Transport & **Sustainability Committee**

(h) Councillor Mac Cafferty

"In April in response to a written question to Councillor Daniel on anti-social behaviour, I was informed that Designated Public Places Orders enable the police to remove alcohol from people who are drinking and being anti-social. After yet another summer where my residents have suffered yet more antisocial behaviour, they report that these orders are never used. Can I ask how many Designated Public Places Orders were authorised? In the absence of these orders being effectively used, what other mechanisms will the administration pursue to prevent anti-social behaviour in the public squares?"

Reply from Councillor Daniel - Chair of the Neighbourhoods, Inclusion, **Communities & Equalities Committee**

(i) Councillor Mac Cafferty

"Figures published from the LGA earlier this year tell us that dissatisfaction is increasing with the quality of new homes. Can I ask what steps the administration is taking to ensure new build homes are being built to the highest standards?"

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

(j) Councillor Druitt - Party Houses

At Council in April I asked a question on party houses and six months later I still have not had a straight answer to the question. The question was:

35. Can the administration tell me what it is doing to work with party house owners as soon as they are identified to ensure that change of use planning permission is sought if required, permission is sought for any licensable activities and the legitimate concerns of neighbouring residents are addressed before party houses become operational?"

The party house in question (90 North Street) has since been put on the market due to a successful resident-led campaign against its use as a party house, but there are many others in the city that continue to be a nuisance to their neighbours. Can the Administration tell me whether it is doing anything at all to work with party house owners as soon as they are identified, to ensure that change of use planning permission is sought if required, permission is sought for any licensable activities and the legitimate concerns of neighbouring residents are addressed before party houses become operational? And further to that can the council tell me whether the recommendations from the scrutiny on Party Houses undertaken during the previous Green administration have been implemented, who is the council's link person with the Brighton & Hove Holiday Rental Association, and what steps the council takes to make sure party houses are assessed for business rates in line with current legislation?

Reply from Councillor Cattell – Chair of the Planning Committee

(k) Councillor Druitt - Food delivery mopeds

Despite a meeting with Deliveroo representatives following my question to Council in April, a dedicated email address for resident concerns and numerous reports to Operation Crackdown the antisocial behaviour caused by food delivery mopeds gets worse by the day. What is the council doing to ensure that delivery riders do not ride where they are not permitted to, do not pose a noise nuisance to residents, and do not represent a hazard to pedestrians; and will the Administration meet with me to explore the specific concerns that residents in my ward have highlighted, and possible solutions.

Reply from Councillor O'Quinn – Chair of the Licensing Committee

(I) Councillor Druitt

Unauthorised encampments

In correspondence with Sussex Police on unauthorised encampments in the city I have been told, in relation to City Clean/City Parks' involvement in multiagency meetings and weekly action days: "Unfortunately City Clean who are supposed to attend have stopped attending and we are unable to contact them on the day as they simply do not answer the phone. Perhaps you can apply some pressure to them to ensure they engage with police and partners as without them clearing these encampments they are simply taken over by another person." Can the Administration tell me why City Clean/City Parks no longer attend the meetings, how many calls to City Clean and City Parks go unanswered (in actual and percentage terms), and what the Administration is doing to sort the situation out and get these basics right.

Reply from Councillor Mitchell – Chair of the Environment, Transport & Sustainability Committee

Council	Agenda Item 34	
2 November 2017	Brighton & Hove City Council	

ORAL QUESTIONS FROM COUNCILLORS

A period of not more than 30 minutes is set aside for oral questions from Members, at the expiry of which, the Mayor will call a halt and proceed to the next item of business of the agenda. Any Member whose question then remains outstanding will be contacted to determine whether they wish to have a written answer provided or for their question to be carried over to the next meeting.

The following Members have indicated that they wish to put questions to the Leader, Chairs of Committees or Members of the Council that have been appointed to an outside body. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion:

(a) Councillor Janio

Subject matter: Rent Arrears

Reply from Councillor Hamilton – Deputy Chair (Finance) of the Policy, Resources & Growth Committee

(b) Councillor Mac Cafferty

Subject matter: Business

Reply from Councillor Robins – Chair of the Tourism, Development & Culture Committee

(c) Councillor Peltzer Dunn

Subject matter: Resolving Planning Applications

Reply from Councillor Cattell - Chair of the Planning Committee

(d) Councillor Knight

Subject matter: Health and Emotional Wellbeing of Looked After Children

Reply from Councillor Chapman – Chair of the Children, Young People & Skills Committee

(e) Councillor Wares

Subject matter: Subsidised Bus Services

Reply from Councillor Mitchell – Chair of the Environment, Transport & Sustainability Committee

(f) Councillor Phillips

Subject matter: Cycle Parking

Reply from Councillor Mitchell – Chair of the Environment, Transport & Sustainability Committee

(g) Councillor Bell

Subject matter: Quality of Mears Repairs

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

(h) Councillor Druitt

Subject matter: Beach Litter Enforcement

Reply from Councillor Mitchell – Chair of the Environment, Transport & Sustainability Committee

(i) Councillor Taylor

Subject matter: School Admissions Policy

Reply from Councillor Chapman – Chair of the Children, Young People & Skills Committee

(j) Councillor Littman

Subject matter: Range of Plastics Collected by BHCC for Recycling

Reply from Councillor Mitchell – Chair of the Environment, Transport & Sustainability Committee

(k) Councillor Page

Subject matter: School Catchment Areas

Reply from Councillor Chapman – Chair of the Children, Young People & Skills Committee

(I) Councillor Deane

Subject matter: Public Lavatories

Reply from Councillor Mitchell – Chair of the Environment, Transport & Sustainability Committee

(m) Councillor Sykes

Subject matter: Brexit

Reply from Councillor Morgan - Leader of the Council

(n) Councillor Gibson

Subject matter: Emergency Accommodation provision for homeless people

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

Council	Agenda Item 36	
2 November 2017	Brighton & Hove City Council	

Subject: Proposed Submission – Shoreham Harbour Joint

Area Action Plan – Extract from the proceedings of the Tourism, Development & Culture Committee

meeting held on the 21 September 2017

Date of Meeting: 2 November 2017

21 September 2017 – Tourism, Development & Culture

Committee

Report of: Executive Lead for Strategy, Governance & Law

Contact Officer: Name: Penny Jennings Tel: 01273 291065

E-mail: penny.jennings@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

Action Required of Council:

To Agree the recommendations set out in the item referred from the Tourism, Development & Culture Committee for decision:

Recommendations:

- (1) That the "Proposed Submission Shoreham Harbour Joint Area Action Plan" appended as Appendix 1 to the report be agreed and published for a six week period of statutory public consultation together with its supporting documents commencing in November 2017;
- (2) That the document be subsequently submitted to the Secretary of State, subject to no material changes arising from the consultation, other than alterations for the purposes of clarification, improved accuracy or meaning or typographical corrections, being necessary;
- (3) That the Head of Planning be authorised to publish and subsequently submit all necessary supporting evidence and studies to the Secretary of State;
- (4) That the Head of Planning be authorised:
 - (a) to agree any draft "main modifications" to the Shoreham Harbour Joint Area Action Plan as necessary to make the plan sound; and
 - (b) to publish such draft modifications for public consultation; save that should any draft modification involve a major shift in the policy approach of the Shoreham Harbour Joint Area Action Plan the draft modification shall be referred by the Head of Planning to the Tourism, Development & Culture Committee for approval;
- (5) That it be noted that all modifications to the Plan will be presented to the Tourism, Development & Culture Committee and Full Council in due course as part of the adoption of the Shoreham Joint Area Action Plan.

BRIGHTON & HOVE CITY COUNCIL

TOURISM, DEVELOPMENT & CULTURE COMMITTEE

4.00pm 21 SEPTEMBER 2017

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Robins (Chair), Cattell (Deputy Chair), Nemeth (Opposition

Spokesperson), Druitt (Group Spokesperson); Allen, Cobb, Horan, Mac

Cafferty, Mears and Morris.

PART ONE

- 20.1 The Committee considered a report of The Executive Director, Economy, Environment and Culture seeking approval for the application of the Submission Shoreham Harbour Joint Area Action Plan (JAAP) along with its supporting documents. Approval was also sought for formal submission to the Secretary of State for independent examination. It would once approved provide a detailed planning policy framework for the implementation of development and infrastructure in the Shoreham Harbour Regeneration Area and covers a 15 year period.
- 20.2 It was explained that publication (once the submission had been approved) would be for a six week period of statutory public consultation prior to submission to the Secretary of State. The JAAP had been prepared jointly between the three local planning authorities: Brighton & Hove City Council, Adur District Council and West Sussex County Council and in partnership with the Shoreham Port Authority. Once adopted the JAAP would form part of Brighton & Hove's Development Plan and would sit alongside and would need to comply with the Brighton & Hove City Plan Part One. It would also need to comply with Adur's Local Plan.
- 20.3 The Head of Planning, Policy and Major Projects, Liz Hobden, explained that approval was sought for approval of the proposed submission in respect of the Shoreham Harbour Joint Area Action Plan (JAAP) along with its supporting documents. It would provide a detailed planning policy framework for the implementation of development and infrastructure in the Shoreham Harbour Regeneration Area and covered a 15 year period.
- 20.4 The Head of Planning, Policy and Major Projects, advised that a correction was required to the JAAP submission in order to address a drafting error, this related to the section titled "Development Form and Typography" in the supporting text on page 79.(Deleted wording is shown underlined and the replacement wording is shown in bold and underlined):

Paragraph 4.2.34

The following principles for development form are proposed:

- For new employment floor space at the basin level, flexible employment uses are proposed arranged as two to three storey buildings on under-used plots.
- Mixed employment and residential uses with a duel frontage onto Kingsway (residential/mixed commercial activities of up to four storeys above Kingsway
- (mixed commercial activities with residential accommodation on upper storeys), and Basin Road North (employment uses)
- Buildings in the basin itself should be simple and flexible with a contemporary appearance and character in keeping with the aesthetic of the harbour.
- New buildings should be of a modern design which complements the existing historic character.
- 20.5 The correction addressed an inconsistency between the policy and the supporting text. The inconsistency arose because the policy was amended after the landowner/developer challenged the soundness of the restriction on building heights. In addition to this the policy was not considered to comply with the adopted City Plan Part One which seeks full and effective use of all sites (the policy amendment is set out at Appendix 2, page 6, amended clause (7) to policy CA2.). The supporting text of the JAAP was not updated to reflect the change to the policy which was an oversight.
- 20.6 Councillor Nemeth proposed an amendment on behalf of the Conservative Group, stating that notwithstanding the rationale given for the officer amendment he considered that the wording as originally set out (notwithstanding the officer view that this was incorrect), reflected his views and, he wished that wording to be voted on. In his view 7a should read as follows:

"Building heights (as set out in Note 4.2.34) should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts and apply high quality design principles.

Councillor Nemeth stated that he had simply added the words "(as set out in Note 4.2.34)." and the express wording: "Building Heights up to four storeys above Kingsway" The amendment was seconded by Councillor Mears.

- 20.7 Councillor Nemeth stated that he considered that it was very important to ensure that height restrictions be maintained particularly once the Port Zed scheme came on stream. Residents of his ward had raised strong objections in respect of this matter and he considered that these should be respected.
- 20.9 Councillor Druitt sought clarification regarding the position should any amendment be agreed e.g., whether the process would be delayed and

- whether that would give rise to be a further consultation period.
- 20.10 Councillor Mac Cafferty stated that he was aware that it had taken a long time to this point. Enquiring whether approval of all of the constituent authorities would be required in order to effect any changes and whether this would be impacted by any subsequent boundary changes.
- 20.11 Councillor Morris noted that 46 letters of objection had been received in total, very few in relation to the size and scope of JAAP. The document had been fully consulted on and he did not therefore support the proposed amendment.
- 20.12 The Head of Planning Policy and Major Projects, Liz Hobden explained that the contents of the document before the Committee needed to be agreed by each of the constituent authorities and had been drawn up following a full consultation process. Any changes could not be agreed without further consultation and agreement by all parties.
- 20.13 The Legal Adviser to the Committee, Hilary Woodward, concurred that was so. Detailed and lengthy discussions had taken place and the submission now needed to move on to the next stage.
- 20.14 A vote was taken in respect of the proposed amendment put by Councillor Nemeth and seconded by Councillor Mears. The amendment was not carried, it was lost on a vote of 7 to 3. The Committee then voted on the substantive recommendations as set out in the report to include the officer amendment to the JAAP document itself. These were agreed on a vote of 7 to 3 as set out below.
- 20.15 **RESOLVED TO RECOMMEND -** That the Tourism, Development and Culture Committee recommends the following to Full Council
 - (1) That the "Proposed Submission Shoreham Harbour Joint Area Action Plan" appended as Appendix 1 to the report be agreed and published for a six week period of statutory public consultation together with its supporting documents commencing November 2017;
 - (2) That the document be subsequently submitted to the Secretary of State, subject to no material changes arising from the consultation, other than alterations for the purposes of clarification, improved accuracy or meaning or typographical corrections, being necessary;
 - (3) That the Head of Planning be authorised to publish and subsequently submit all necessary supporting evidence and studies to the Secretary of State;
 - (4) That the Head of Planning be authorised:
 - to agree any draft "main modifications" to the Shoreham Harbour Joint Area Action Plan as necessary to make the plan sound;

- (b) to publish such draft modifications for public consultation; save that should any draft modification involve a major shift in the policy approach of the Shoreham Harbour Joint Area Action Plan the draft modification shall be referred by the Head of Planning to the Tourism, Development & Culture Committee for approval; and
- (5) That it be noted that all modifications to the Plan will be presented to the Tourism, Development & Culture Committee and Full Council in due course as part of the adoption of the Shoreham Joint Area Action Plan.

Council	Agenda Item 36
2 November 2017	Brighton & Hove City Council

Subject: Proposed Submission Shoreham Harbour Joint Area

Action Plan

Date of Meeting: 2nd November, 2017

21 September 2017 – Tourism, Development & Culture

Committee

Report of: Executive Director for Economy, Environment &

Culture

Contact Officer: Name: Rebecca Fry Tel: 01273 293773

Email: rebecca.fry@brighton-hove.uk

Ward(s) affected: South Portslade, North Portslade, Wish, Hangleton

& Knoll

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report seeks approval for the publication of the Submission Shoreham Harbour Joint Area Action Plan (JAAP) along with its supporting documents. Publication will be for a six week period of statutory public consultation prior to submission to the Secretary of State. Approval is also sought for formal submission to the Secretary of State for independent examination.
- 1.2 The JAAP has been prepared jointly between the three local planning authorities: Brighton & Hove City Council, Adur District Council and West Sussex County Council and in partnership with the Shoreham Port Authority. Once adopted, the JAAP will form part of Brighton & Hove's Development Plan and will sit alongside, and must comply with, the Brighton & Hove City Plan Part One. It must also comply with Adur's Local Plan. It provides a detailed planning policy framework for the implementation of development and infrastructure in Shoreham Harbour Regeneration Area and covers a 15 year period.

2. **RECOMMENDATIONS:**

That the Tourism, Development & Culture Committee recommends the following to Full Council:

- 2.1 That the Proposed Submission Shoreham Harbour Joint Area Action Plan, appended as Appendix 1, be agreed and published for a six week period of statutory public consultation together with its supporting documents commencing in November 2017.
- 2.2 That the document be subsequently submitted to the Secretary of State, subject to no material changes arising from the consultation, other than alterations for the purposes of clarification, improved accuracy or meaning or typographical corrections, being necessary.

- 2.3 That the Head of Planning be authorised to publish and subsequently submit all necessary supporting evidence and studies to the Secretary of State.
- 2.4 That the Head of Planning be authorised:
 - a) to agree any draft "main modifications" to the Shoreham Harbour Joint Area Action Plan as necessary to make the plan sound; and,
 - b) to publish such draft modifications for public consultation; save that should any draft modification involve a major shift in the policy approach of the Shoreham Harbour Joint Area Action Plan the draft modification shall be referred by the Head of Planning to the Tourism, Development & Culture Committee for approval.
- 2.5 To note that all modifications to the Plan will be presented to the Tourism, Development & Culture Committee and Full Council in due course as part of the adoption of the Shoreham Harbour Joint Area Action Plan.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The regeneration of Shoreham Harbour has long been an aspiration of Brighton & Hove City, West Sussex County and Adur District Councils and Shoreham Port Authority. The JAAP is a 15 year plan for the comprehensive regeneration of Shoreham Harbour and focusses on four development areas which are Aldrington Basin, South Portslade (in Brighton & Hove) and Southwick Waterfront and Western Harbour Arm (in Adur/West Sussex). These areas will deliver 1,400 new homes, 23,500sqm of new employment space, a consolidated port, with improved flood defences, transport infrastructure, public spaces and community and leisure facilities.
- 3.2 The adopted Brighton & Hove City Plan Part One and the Adur Local Plan (which is at Examination Stage), both include a policy for the Shoreham Harbour Regeneration Area. City Plan Part One includes policy DA8, which identifies the Shoreham Harbour area as a broad location for future strategic development. Both the City Plan Part One and the Adur Local Plan make clear that the detailed area wide policies and development proposals for the Shoreham Harbour area will be set out in the JAAP.
- 3.3 The Councils first consulted on a draft of the JAAP in 2014. Following a number of changes to the national and local policy context, a revised draft was consulted on between December 2016 and February 2017 (approval granted by the Economic Development & Culture Committee in November 2016).
- 3.4 A total of 46 respondents submitted representations on the revised draft plan and these have been taken into account in preparing the proposed submission JAAP. A summary of the representations is provided in Appendix 4.
- 3.5 The key points made in representations were:
 - general support for the area's regeneration for housing and employment and for the plan's approach to traffic, green infrastructure, linkages, leisure/community facilities, and minerals;

- Key areas of concern related to:
 - Building height limitations not considered to be justified;
 - A call for protection and enhancement of surfing within the Port Area and not just off Southwick Beach;
 - Congestion and air quality;
 - Some detailed issues relating to site allocations

These areas of concern have been addressed within the proposed submission plan where relevant.

4. SUMMARY OF JAAP PROPOSALS

- 4.1 The area covered by the Shoreham Harbour JAAP stretches from the Adur Ferry Bridge in the west to Hove Lagoon in the east. In addition to the operational areas of Shoreham Port, the regeneration area includes the Western Harbour Arm, Adur Homes estates south of the railway line at Southwick and Fishersgate, and industrial estates at Fishersgate and South Portslade
- 4.2 The vision for the Shoreham Harbour Regeneration Area is:

By 2032, Shoreham Harbour Regeneration Area will be transformed into a vibrant, thriving, waterfront destination comprising a series of sustainable, mixed-use developments alongside a consolidated and enhanced Shoreham Port which will continue to play a vital role in the local economy.

The redevelopment of key areas of the harbour will provide benefits for the local community and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change

- 4.3 Key objectives include delivering a vibrant port, growing jobs, the delivery of new homes, promoting sustainable travel and managing the natural environment and flood risk.
- 4.4 Key proposals which fall within Brighton and Hove concern two of the seven identified character areas and are as follows.

CA2 – Aldrington Basin (within Brighton & Hove)

- 4.5 Aldrington Basin forms the eastern gateway to the harbour. It currently includes a mixture of port operations, employment space and some residential areas.
- 4.6 The JAAP seeks to safeguard and improve the port facilities and includes a strategic allocation for employment (uses classes B1, B2 and B8) and mixed use (use classes A2, B1, C3 and ancillary A1). The allocation in Aldrington Basin will deliver a minimum of 90 new dwellings and 4,500sqm employment floorspace.
- 4.7 In combination with the allocation at South Portslade it forms a key employment area within Brighton and Hove and will help deliver the additional industrial floorspace required in the city in accordance with policy CP3 of the City Plan Part One.

CA3 – North Quayside and South Portslade (within Brighton & Hove)

- 4.8 North Quayside is mostly a port-operational area and South Portslade is currently predominantly an employment area.
- 4.9 The JAAP seeks to safeguard and improve the port facilities and, within South Portslade, includes a strategic allocation for employment (uses classes B1, B2 and B8) and mixed use (use classes A1, A2, A3, B1 and C3). The allocation in South Portslade will deliver a minimum of 210 new dwellings and 3,000sqm employment floorspace.
- 4.10 Together the allocations in Aldrington Basin and South Portslade will deliver a minimum of 7,500sqm employment generating floorspace and 300 new homes. South Portslade will provide much of the proposed housing key in delivering the housing target set out in policy CP1 of City Plan Part One.
- 4.11 The other character areas within Shoreham Harbour JAAP and key proposals are set out in Appendix 3.

Summary of Key Amendments

- 4.12 A full summary of the amendments to the Shoreham Harbour JAAP, following consultation on the revised draft version, has been appended as Appendix 2. The key amendments undertaken between the revised draft and the proposed Submission JAAP in relation to the character areas in Brighton & Hove include:
 - Plan Period this has been amended from 2031 to 2032 to accord with Adur Local Plan;
 - Formatting amendments: Policy and Strategic Site Allocation References –
 the Shoreham Harbour area wide policies continue to be prefixed with "SH",
 however the Character Area policies have been amended from "SH" to "CA"
 and the Strategic Site Allocations have been amended from "SS" to an
 abbreviation of the respective Character Area, e.g. sites in Aldrington Basin,
 formerly SS1, are now prefixed with "AB" and sites in South Portslade,
 formerly SS2, are now prefixed with "SP";
 - The two former strategic site allocations within the Brighton & Hove area (SS1 and SS2 as referred to above) which were originally aggregated have now been disaggregated clearly setting out the respective development targets for each Character Area (Aldrington Basin and South Portslade);
 - Amendments specific to Aldrington Basin:
 - The removal of the development height restriction to that of the Vega apartment building for the site between Basin Road North and Kingsway (formerly site E, amended to site AB4 – this includes the 'Portzed' site) to address a potential soundness issue raised through consultation:
 - Clearer recognition given to the link between Hove Lagoon and the Port Canal via policy support for an area of open space fronted by ancillary leisure, retail, food and drink uses in order to improve the connection between Hove Lagoon and the harbour;
 - o Reference to Ferry Wharf amended to reflect waste use;

- o Ground levels added for flood risk at request of Environment Agency.
- Policy and Policies Map amendments to provide greater clarity on the proposed development sites and protected employment sites.

5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 5.1 Due to the long term aspiration of the partner authorities to regenerate Shoreham Harbour and the need for an effective joint approach, it is not considered any alternative options can be effectively deployed.
- 5.2 The Sustainability Appraisal process throughout the preparation of the plan allowed for the consideration and analysis of alternative options.

6. COMMUNITY ENGAGEMENT & CONSULTATION

- 6.1 The councils consulted on the first draft of the JAAP in 2014. Following a number of changes to the national and local policy context, the councils consulted on a Revised Draft between December 2016 and February 2017. Consultation has been carried out in accordance with statutory requirements and the Statement of Community Involvement for each of the partner authorities. Representations received at each stage have been taken into account when developing the next iteration of the plan. The councils received a total of 46 representations on the revised draft plan which have informed the proposed submission JAAP.
- 6.2 Subject to approval by Full Council, the Proposed Submission Shoreham Harbour Joint Area Action Plan will be published in order that representations may be made on the legal compliance and soundness of the plan and the accompanying sustainability appraisal. This will take place from 10 November 2017 (0:00 am) to 21 December (23:59 pm).
- 6.3 Representations made during the publication period, and the councils' accompanying submission documents will then be submitted for examination alongside the plan itself. It is anticipated that this submission will occur in March 2018. Following this an Inspector will be appointed, and examination of the plan will commence. The public hearing is anticipated to start in June 2018.

7. CONCLUSION

- 7.1 This report seeks approval for the Proposed Submission Shoreham Harbour Joint Area Action Plan, its publication for statutory public consultation, consequent minor alterations and then its submission to the Secretary of State. It also seeks approval for the publication of the JAAP's Sustainability Appraisal and other supporting documents; and, the authorisation for the Head of Planning to produce and submit all appropriate evidence, studies and "main modifications" as necessary in order to make the plan sound prior to and during the examination of the plan in public.
- 7.2 This is to ensure the JAAP accords with the statutory development plan procedures and to avoid undue delay during the examination stage.

8. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

8.1 The costs associated with the report recommendations for the Shoreham Harbour Joint Area Action Plan such as officer time, public consultation and publication will be funded from grants awarded to the three partner authorities, for which Adur District Council is the accountable body.

Finance Officer Consulted: Gemma Jackson Date: 01/08/17

Legal Implications:

- 8.2 As noted in the report, the JAAP will be a local plan. The procedures to be followed in drafting and adopting local plans are contained in the Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Planning) (England) Regulations 2012. The legislation requires that draft local plans undergo independent examination by a person appointed by the Secretary of State and that prior to submission to the Secretary of State the draft local plan must be subject to at least six weeksof publicity, during which time representations can be made.
- 8.3 In order for a local plan to be adopted by the local planning authority the Examiner must have found the draft plan "sound", which means, as per paragraph 182 of the National Planning Policy Framework, that the local plan must be positively prepared, justified, effective and consistent with national policy. If the Examiner considers that a local plan is not sound but could be found sound with "main modifications" these can be recommended (s20 and s23 of the 2004 Act).
- 8.4 It is not considered that any adverse human rights implications arise from the recommendations of the report.

Lawyer Consulted: Hilary Woodward Date: 31/7/17

Equalities Implications:

8.5 Equality issues have been considered as part of the Sustainability Appraisal (SA) for the Shoreham Harbour JAAP. The JAAP aims to ensure that all groups have equal access to the spatial opportunities offered by the plan.

Sustainability Implications:

8.6 It is a legal requirement that all local plans are subject to a sustainability appraisal (SA). A Sustainability Appraisal has been produced to inform the preparation of the JAAP.

Crime & Disorder Implications:

8.7 The JAAP will form part of the development plan for Brighton and Hove and, Adur respectively. When considered alongside the City Plan and the Brighton & Hove Local Plan crime and disorder is addressed through a number of policies.

Risk and Opportunity Management Implications:

8.8 The council and its partner authorities have committed to producing the JAAP through the Brighton & Hove City Plan Part One and the Adur Local Plan. Failure to do so could impact on a number of the Council's priorities including economic and social regeneration as well as the delivery of new employment floorspace and homes (including affordable housing).

Public Health Implications:

8.9 The revised draft JAAP takes forward strategic policies in the City Plan Part One and the Adur Local Plan. The City Plan Part One was subject to an Equality and Health Impact Assessment and the findings informed the plan.

Corporate / Citywide Implications:

8.10 The preparation of this joint document helps the council meet its Duty to Cooperate and steer development within the Shoreham Harbour area for the next 10-15 years. The JAAP will contribute to delivering the Corporate Plan and plans and strategies across the JAAP regeneration area including new housing and employment space.

SUPPORTING DOCUMENTATION

Appendices:

- 1. Proposed Submission Shoreham Harbour Joint Area Action Plan (JAAP) (2017)
- 2. Summary of Amendments to the JAAP (following consultation on the revised draft version)
- 3. Other Character Areas within Shoreham Harbour JAAP and Key Proposals
- 4. Summary of the Representations to the Revised Draft Shoreham Harbour JAAP

Documents in Members' Rooms

- 1. Representations to Revised Draft Shoreham Harbour Joint Area Action Plan
- 2. Sustainability Appraisal of the Shoreham Harbour Joint Area Action Plan (2017)
- 3. Sustainability Appraisal of the Shoreham Harbour Joint Area Action Plan Non Technical Summary (2017)

Background Documents

- 1. City Plan Part One
- 2. Revised Draft Shoreham Harbour Joint Area Action Plan (2016)
- 3. Shoreham Harbour Transport Strategy (2016)
- 4. Adur Local Plan Second Addendum and Appendices: Revised Reissue Transport Study (2016)
- 5. Draft Shoreham Harbour Joint Area Action Plan (2014)
- 6. Adur Local Plan and Shoreham Harbour Transport Study Report Addendum (2014))
- 7. Adur Local Plan and Shoreham Harbour Transport Study (2013)





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1 Introduction

1.1 What is the Joint Area Action Plan (JAAP)?

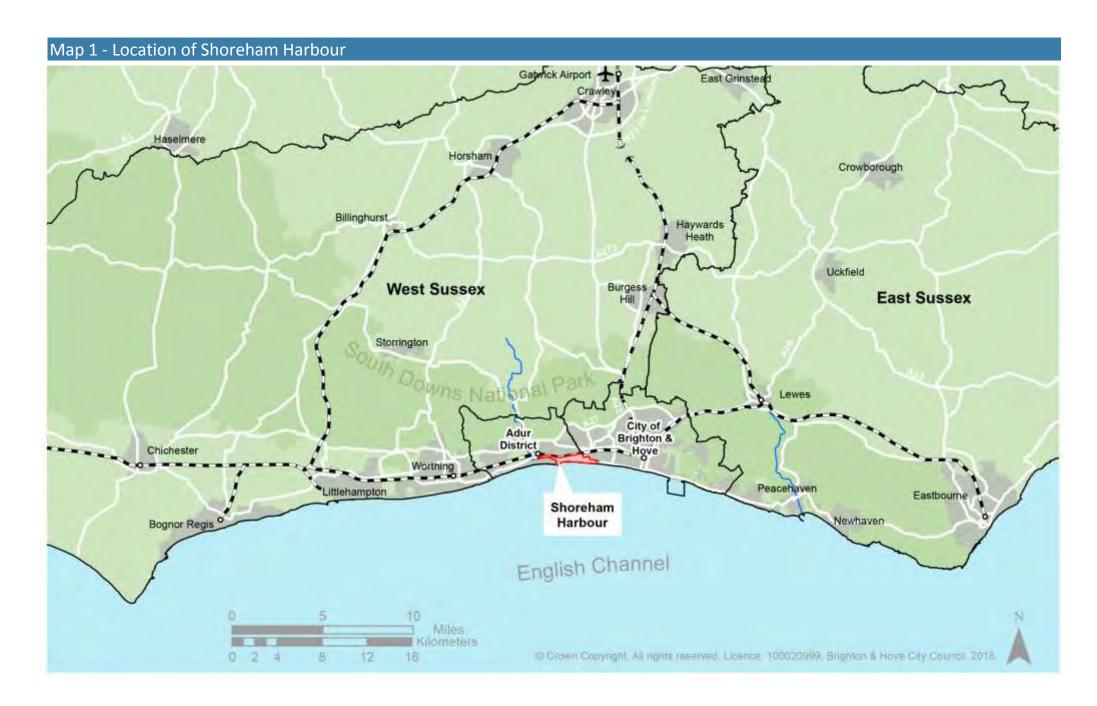
- 1.1.1 The Shoreham Harbour Joint Area Action Plan (JAAP) is a strategy for the regeneration of Shoreham Harbour and surrounding areas. It includes proposals and policies for new housing and employment generating floorspace; and for upgraded flood defences, recreational and community facilities, sustainable travel, environmental and green infrastructure improvements.
- 1.1.2 An area action plan is a type of local plan for an area of significant change. The JAAP sets a planning policy framework to guide development and investment decisions within the Shoreham Harbour Regeneration Area up to 2032.
- 1.1.3 The plan builds on and complements the Adur Local Plan (2017) and the Brighton & Hove City Plan Part One (2016). Planning applications within the regeneration area must comply with the strategy and policies in the JAAP, as well as the relevant local plans.

1.1.4 The plan contains:

- a long-term vision, objectives and strategy for the Shoreham Harbour Regeneration Area
- themed area-wide policies on:
 - climate change, energy and sustainable building
 - Shoreham Port
 - economy and employment
 - housing and community
 - sustainable travel
 - flood risk and sustainable drainage
 - natural environment, biodiversity and green infrastructure
 - recreation and leisure
 - place making and design quality
- proposals for seven character areas, including four allocations for new development
- an outline of how the Shoreham Harbour Regeneration Project will be delivered, monitored and implemented.

1.2 Where is the Shoreham Harbour Regeneration Area?

- 1.2.1 Map 1 shows the location of Shoreham Harbour. It is between the coastal resorts of Brighton and Worthing, on the Sussex coast in southeast England. The harbour is around 55 miles from London and 30 miles south of Gatwick Airport.
- 1.2.2 Map 2 shows the boundary of the regeneration area. It stretches around 3 miles from the Adur Ferry Bridge in Shoreham-by-Sea through to Hove Lagoon. It is bounded to the north by the West Coastway railway line, and to the south by the River Adur and the English Channel. The A259 runs eastwest through the regeneration area.
- 1.2.3 Shoreham Harbour straddles the local authority boundary between Adur district (within West Sussex) and the City of Brighton & Hove. The regeneration area includes parts of Shoreham-by-Sea, Kingston-by-Sea, Southwick, Fishersgate, Portslade-by-Sea and Hove.

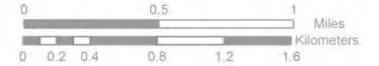


Map 2 - Shoreham Harbour Regeneration Area



Local authority boundary

Shoreham Harbour Regeneration Area





1.3 Who has prepared the plan?

- 1.3.1 The plan has been prepared by the Shoreham Harbour Regeneration Partnership. This is made up of Adur District Council, Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority.
- 1.3.2 The partnership also works closely with a number of other organisations. These include the Environment Agency, the Homes and Communities Agency, Highways England, Natural England and Historic England.
- 1.3.3 The plan will be jointly adopted by Adur District Council, Brighton & Hove City Council and West Sussex County Council

1.4 Why has the plan been prepared?

- 1.4.1 The regeneration of Shoreham Harbour and surrounding areas is a long-standing aspiration of all the project partners.

 The partnership has produced this plan to identify realistic, deliverable and sustainable proposals for the regeneration area.
- 1.4.2 The JAAP is part of a long-term strategy to revitalise the area. It will deliver new and affordable housing and modern employment floorspace on previously developed land.
- 1.4.3 The JAAP will help to generate investment and access funding for improved infrastructure, including sustainable transport, flood defences and sustainable drainage. It will support the safeguarding of the important function of Shoreham Port, including the importing and handling of aggregates and minerals.
- 1.4.4 The plan promotes the port as a hub for renewable energy generation, contributing to national and local carbon reduction targets. The JAAP will also promote the creation and enhancement of green infrastructure links through the area.

1.5 How has the plan been prepared?

- 1.5.1 There are four stages to preparing the JAAP. The process is at currently at stage 4:
 - **Stage 1:** Information gathering, baseline analysis and identifying issues (2008 2012)
 - Stage 2: Consideration of options, developing spatial framework, preparing development briefs for areas of change (2012 – 2014)
 - Stage 3: Consulting on the plan, updating evidence, exploring technical issues, addressing delivery issues (2014 2016)
 - Stage 4: Publication of the proposed submission JAAP, submission to the Secretary of State for independent examination, followed by formal adoption by the councils (2017 – 2018).

1.6 How was the community involved?

- 1.6.1 Working with local residents, businesses, community and local interest groups is an important part of the plan-making process. These individuals and groups have made a critical contribution to shaping the proposals and policies in the JAAP.
- 1.6.2 As well as formal periods of public consultation, there has been ongoing engagement with communities throughout the plan-making process.
- 1.6.3 The Consultation Statement provides full details of the engagement work to develop the plan. The consultation process complied with statutory regulations¹ and the Statement of Community Involvement (SCI) of each of the partner councils².

1.7 What is the status of the JAAP?

- 1.7.1 The JAAP is a local plan³ for the Shoreham Harbour Regeneration Area. The JAAP will be part of the development plan for both Adur and Brighton & Hove. The Adur Local Plan and Brighton & Hove City Plan Part One designate the regeneration area as a broad location for change⁴.
- 1.7.2 The councils will assess all planning applications and investment decisions within the regeneration area against the strategy, proposals and policies in the JAAP, as well as the relevant local plans.
- 1.7.3 Sections 1.8 to 1.12 set out how the JAAP relates to other policies, plans and strategies.

- 1.7.4 Once adopted, the JAAP will supersede the following policy documents:
 - Shoreham Harbour Development Brief: South Portslade Industrial Estate and Aldrington Basin (2013)
 - Shoreham Harbour Development Brief: Western Harbour Arm (2013)
 - Shoreham Harbour Interim Planning Guidance (2011)

1.7.5

This version of the plan has been prepared and published in accordance with Regulation 19 of the Town and County Planning (Local Planning) Regulations 2012 for public consultation purposes. The plan sets out the vision and strategic objectives, the policies, and the proposed site allocations. In this plan, the authorities have sought to address the points raised in the Regulation 18 Draft JAAP consultations and points raised in engagement with consultees. The policies in this proposed submission plan will be given appropriate weight in the determination of planning applications.

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

² Adur and Worthing Statement of Community Involvement (2012); Brighton & Hove Statement of Community Involvement (2015); West Sussex Statement of Community Involvement (2012)

³ As defined in The Town and Country Planning (Local Planning) (England) Regulations 2012. Also referred to as a Development Plan Document as defined in the Planning and Compulsory Purchase Act 2004.

⁴ Policy 8 of the *Adur Local Plan* (2017); Policy DA8 of the *Brighton & Hove City Plan Part One* (2016).

1.8 European policy

- 1.8.1 Relevant European legislation includes the Strategic Environmental Assessment (SEA) Directive (2001)⁵. This requires assessment of the plan against environmental objectives to ensure that it is sustainable.
- 1.8.2 The Sustainability Appraisal of the Shoreham Harbour JAAP meets the requirements of the SEA Directive.
- 1.8.3 EU policies also require plan –makers to consider the impact that proposals may have on health and equality⁶. This applies to these protected characteristics:
 - gender
 - race
 - disability
 - age
 - sexual orientation
 - religion or belief
- 1.8.4 The Sustainability Appraisal of the JAAP meets these requirements.

- 1.8.5 Under the Habitats Directive (1992) and Birds Directive (2009)⁷ plan-makers must consider the potential effects of proposals on protected sites⁸.
- 1.8.6 Both the Adur Local Plan and Brighton & Hove City Plan Part One were screened for Habitats Regulations Assessment (HRA). These reports concluded that a full HRA is not required as there are no significant impacts on protected European sites.
- 1.8.7 As the proposals in this plan accord with the local plans, the partnership and Natural England has agreed that an HRA is not needed for the JAAP. The Shoreham Harbour Habitats Regulations Statement (2016) sets out this position in full.

1.9 National policy

National Planning Policy Framework and Planning Practice Guidance

- 1.9.1 The JAAP was prepared in conformity with the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- 1.9.2 The NPPF applies a presumption in favour of sustainable development. It requires local planning authorities (LPA) to assess their housing and employment space needs, and to plan positively to meet those needs.
- 1.9.3 The NPPF promotes the role of ports. This includes the importance of safeguarding capacity for landing minerals and aggregates.
- 1.9.4 The NPPF also promotes the shift towards a green economy and encourages policies that promote district level renewable energy generation and green infrastructure as set out in this plan.
- 1.9.5 Where appropriate the JAAP highlights sections of the NPPF and PPG which support the policies in the plan.

⁵ Directive 2001/42/EC transposed into UK legislation in The Environmental Assessment of Plans and Programmes Regulations 2004

⁶ Transposed into UK legislation in the Equality Act 2010

⁷ Directive 92/43/EEC and Directive 2009/147/EC transposed into UK legislation in The Conservation of Habitats and Species Regulations 2010 8 Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites.

Duty to cooperate

- 1.9.6 The Duty to Cooperate is a legal duty for local planning authorities to engage with each other on cross boundary issues. Engagement must be active, constructive and ongoing to make local plans more effective.
- 1.9.7 The JAAP was prepared by a partnership of local authorities working together across the boundaries. The regeneration project is jointly governed by Adur District Council, Brighton & Hove City Council and West Sussex County Council. Joint working arrangements are set out in a Memorandum of Understanding between the project partners.
- 1.9.8 The *Duty to Cooperate Statement* (2017) sets out in more detail the cross boundary engagement in the preparation of this plan.

National policy statements

- 1.9.9 The National Policy Statement for Ports (2012) was produced by the Department for Transport under the Planning Act 2008⁹. It provides the framework for decision making on proposals for new port development.
- 1.9.10 The statement highlights the changing role of ports in relation to energy supply and generation. This includes securing energy supplies, providing facilities to support offshore renewable sites and to house power stations fuelled by biomass.
- 1.9.11 The Overarching National Policy
 Statement for Energy (EN-1) (2010)
 outlines the increasing importance of renewables as part of the energy mix.

UK Marine Policy Statement

1.9.12 The UK Marine Policy Statement (2011) sets out the government's vision for 'clean, healthy, safe, productive and biologically diverse oceans and seas'. It is the overarching framework for preparing marine plans across the UK. These will be used for decisions affecting the marine environment.

1.10 Sub-regional policy

Greater Brighton City Deal

- 1.10.1 The Greater Brighton City Deal was awarded by government in 2014. The city region is made up of Adur, Brighton & Hove, Lewes, Mid Sussex and Worthing.
- 1.10.2 The councils work together to prioritise economic growth. Shoreham Harbour is identified as a growth centre which will focus on environmentally driven technologies.

Coast to Capital Strategic Economic Plan

- 1.10.3 The regeneration area is within the area of the Coast to Capital Local Enterprise Partnership (LEP). The LEP is responsible for £202 million Growth Deal funding. It has awarded £9.5 million for flood defence projects and transport access improvements in the Shoreham area.
- 1.10.4 The LEP produced the *Coast to Capital Strategic Economic Plan* in 2014. It identifies Shoreham-by-Sea as one of its key strategic locations for growth. The plan recognises the flood risk and transport constraints in delivering growth.

⁹ Planning Act 2008 s. 5(9)

Coastal West Sussex and Greater Brighton Local Strategic Statement

- 1.10.5 The Coastal West Sussex and Greater Brighton Strategic Planning Board is made up of lead councillors from Adur, Arun, Brighton & Hove, Chichester, East Sussex, Horsham, Lewes, Mid Sussex, and West Sussex councils and the South Downs National Park Authority. Through the board the councils work together to identify and manage cross-boundary planning issues.
- 1.10.6 In 2016 the councils adopted an updated Coastal West Sussex and Greater Brighton Local Strategic Statement (LSS). This statement sets the following strategic objectives:
 - 1 Delivering sustainable economic growth
 - 2 Meeting strategic housing needs
 - 3 Investing in infrastructure
 - 4 Managing environmental assets and natural resources

- 1.10.7 The LSS sets nine spatial priorities for the area. Spatial Priority 1 relates to Shoreham Harbour and Shoreham (Brighton City) Airport. For Shoreham Harbour this includes:
 - 1 Improved road access to and from the A27 and A259 and to local transport infrastructure including public transport, walking and cycling.
 - 2 Improved flood defences.
 - 3 Consolidated port activities in the eastern harbour arm and safeguarding sufficient capacity at mineral wharves to ensure a steady and adequate supply of minerals to meet foreseeable future demands.

Brighton and Lewes Downs Biosphere Management Strategy

1.10.8 UNESCO¹⁰ designated the Brighton and Lewes Downs as a Biosphere Reserve in 2014. Biospheres are defined as "sites of excellence":

'to balance conservation and socioeconomic development between nature and people, and to explore and demonstrate innovative approaches as learning sites for sustainable development'.

- 1.10.9 The *Biosphere Management Strategy* has three objectives. These are:
 - 1 Nature Conservation
 - 2 Sustainable Socio-Economic Development
 - 3 Knowledge, Learning and Awareness

¹⁰ United Nations Educational, Scientific and Cultural Organisation

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- 1.10.10 The Shoreham Harbour Joint Area
 Action Plan will enable the delivery of a
 high quality, exemplar, mixed-use
 sustainable development and improved
 environmental quality. This includes:
 - a comprehensive flood defence solution
 - development that reduces car ownership and promotes sustainable modes of transport
 - improved green infrastructure and access to open spaces
 - provision of enhanced public realm along the river frontage
 - policies in the emerging Adur Local Plan and Joint Area Action Plan that recognise the need to enhance green corridors and improve ecological connectivity.

South Inshore Marine Plan

- 1.10.11 The Marine Management Organisation is preparing the *South Inshore Marine Plan*. This covers the south coast and tidal rivers between Folkestone and the River Dart, Devon.
- 1.10.12 Marine plans and local plans overlap between high and low water marks. The South Inshore Marine Plan includes the coastline at Shoreham Beach, and Southwick and Portslade-by-Sea. It also include the Eastern and Western Arms of the River Adur.
- 1.10.13 The plan will manage the sustainable development of marine industries such as shipping, marine aggregates, fishing and windfarms, as well as the conservation and protection of marine habitats and species.

1.11 Local policy

- 1.11.1 Both the Adur Local Plan and the Brighton & Hove City Plan Part One identify the regeneration of the Shoreham Harbour area in their strategic objectives. Both plans also contain a policy that identifies the harbour as a 'broad location' for future strategic development.
- 1.11.2 This plan is consistent with the local plans for both Adur and Brighton & Hove. In case of any conflict between policies in these plans and the JAAP, the most recently adopted plan will have precedence¹¹.

Adur Local Plan

1.11.3 Adur District Council will adopt the *Adur Local Plan* in December 2017. The plan provides a strategy for development in Adur¹² up to 2032. Policy 2 (Spatial Strategy) states:

¹¹ See Section 38(5) of the Planning and Compulsory Purchase Act 2004

¹² The plan excludes the parts of the district within the South Downs National Park.

"Shoreham Harbour will be the focus of a significant level of development to facilitate regeneration of the Harbour and neighbouring communities, which will be delivered through an Area Action Plan to be prepared jointly between Adur District Council, Brighton & Hove City Council and West Sussex County Council."

1.11.4 Policy 8 (Shoreham Harbour) sets out the policy and priorities for each character area and states that:

"The Council will facilitate the delivery of a minimum of 1,100 new dwellings within the Shoreham Harbour Regeneration Area within Adur District during the plan period to 2032."

1.11.5 Policy 4 (Planning for Economic Growth) allocates land for employment generating uses in Adur up to 2032, including 16,000m² floorspace in the part of the Shoreham Harbour Regeneration Area within Adur.

Brighton & Hove City Plan

- 1.11.6 Brighton & Hove City Council adopted the *Brighton & Hove City Plan Part One* in March 2016. The plan provides the overall strategic and spatial vision for the future of Brighton & Hove¹³ up to 2030.
- 1.11.7 Strategic Objective 6 states:

"Through joint working with Adur District Council, West Sussex County Council and the Shoreham Port Authority, maximise the potential of Shoreham Harbour for the benefit of existing and future residents, businesses, port-users and visitors through a long term regeneration strategy."

- 1.11.8 Policy DA8 (Shoreham Harbour) sets out the policy and priorities for each of the harbour character areas and states that the JAAP process will further explore and test the delivery of:
 - 300 new residential units within Brighton & Hove
 - 7,500m² net additional employment floorspace

- 1.11.9 Shoreham Port contains a number of minerals wharves and waste management facilities. West Sussex and Brighton & Hove councils are minerals and waste planning authorities for the regeneration area.
- 1.11.10 The West Sussex Minerals Local Plan
 (2003) safeguards a number of wharves
 at Shoreham Harbour, including some
 sites proposed for new mixed use
 development in this plan. The
 Submission Draft West Sussex Joint
 Minerals Local Plan (2017) seeks to
 safeguard sufficient capacity to ensure a
 steady and adequate supply of minerals
 whilst supporting regeneration
 aspirations set out in this document.
 The Plan has been submitted to
 government for examination on legal
 compliance and soundness.
- 1.11.11 Brighton & Hove City Council, East
 Sussex County Council and the South
 Downs National Park Authority adopted
 the Waste and Minerals Plan in 2013.
 The East Sussex, South Downs and
 Brighton & Hove Waste and Minerals
 Sites Plan was adopted in 2017. The
 plan safeguards wharf capacity at
 Shoreham Harbour.

Minerals and Waste Plans

¹³ The plan excludes the parts of the city within the South Downs National Park.

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Shoreham Beach Neighbourhood Plan

1.11.12 In 2014, Adur District Council approved the Shoreham Beach Neighbourhood Area and designated the Shoreham Beach Neighbourhood Forum. The forum is working with the community to produce a neighbourhood plan to address issues in the area. The neighbourhood plan area is contiguous with Marine ward. This overlaps with the regeneration area at Shoreham Fort, Shoreham Sailing Club and Silver Sands.

1.12 Shoreham Harbour policy

Shoreham Harbour Flood Risk Management Guide

The partnership, working closely with 1.12.1 the Environment Agency, produced the Shoreham Harbour Flood Risk Management Guide Supplementary Planning Document (SPD) (2015). This sets out illustrative concepts for an upgraded flood defence network along the Western Harbour Arm, and a summary of the cost and requirements of developers in relation to mitigating flood risk. These documents will also be used to provide information for funding applications The SPD also provides guidance for flood mitigation at the other allocations.

Shoreham Harbour Green Infrastructure Strategy

1.12.2 The partnership is currently preparing a green infrastructure strategy. This will set out proposals for ecological enhancements throughout the regeneration area as well as the creation of a green corridor as part of an enhanced green infrastructure network.

Shoreham Harbour Transport Strategy

1.12.3 The Shoreham Harbour Transport
Strategy (2016) has been prepared to
support delivery of the JAAP through a
programme of transport infrastructure
improvements, transport services and
travel behaviour change initiatives. It is
supported by a technical evidence base,
which is set out in the Shoreham
Harbour Transport Strategy Baseline
Analysis document (2014).

Shoreham Port Masterplan

- 1.12.4 Shoreham Port Authority produced the Shoreham Port Masterplan (2016).

 Although it is not a statutory planning policy document, the plan sets the port's future development and must be taken into account when considering new developments in or near the port.
- 1.12.5 This plan includes many of the proposals identified in the masterplan where relevant to the regeneration project.



2 Spatial strategy

2.1 What is the vision for Shoreham Harbour?

By 2032, Shoreham Harbour Regeneration Area will be transformed into a vibrant, thriving, waterfront destination comprising a series of sustainable, mixed-use developments alongside a consolidated and enhanced Shoreham Port which will continue to play a vital role in the local economy.

The redevelopment of key areas of the harbour will provide benefits for the local community and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change.

- 2.1.1 This section sets out the vision, themes, objectives and strategy for the regeneration of the Shoreham Harbour area up to 2032.
- 2.1.2 The vision is to maximise the potential of the area for the benefit of existing and new residents, businesses, portusers and visitors through a long-term regeneration strategy. This will be achieved through partnership working between local authorities and Shoreham Port Authority and with local landowners to facilitate the redevelopment of key sites.
- 2.1.3 The aim is to deliver a series of appropriately located, high quality, sustainable, mixed-use developments including new housing, employment floorspace, leisure opportunities, improved public space and associated infrastructure including flood defences and transport improvements.

Sustainable development

- 2.1.4 Sustainable development "meets the needs of the present without compromising the ability of future generations to meet their own needs" ¹⁴. The planning system contributes to achieving sustainable development ¹⁵. The NPPF identifies three dimensions to sustainable development:
 - an economic role, contributing to building a strong, responsive and competitive economy
 - a social role, supporting strong vibrant and healthy communities
 - an environmental role, contributing and enhancing the natural, built and historic environment.
- 2.1.5 Sustainable development is an overarching theme for this plan, and the local plans for both Adur and Brighton & Hove.

¹⁴ Resolution 42/187 of the United Nations General Assembly
15 NPPF (2012) paragraph 6

2.2 What are the objectives of the regeneration project?

Objective 1: Climate change, energy and sustainable building

To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub

To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity, and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.

To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area; particularly those that take advantage of the harbour's coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.

- 2.2.1 Local plans are legally required to include policies to ensure that development and the use of land "contribute to the mitigation of, and adaptation to, climate change" 16.
- 2.2.2 Planning helps to shape places to secure radical reductions in greenhouse gas emissions, minimise vulnerability and provide resilience to the impacts of climate change. It also supports the delivery of renewable and low carbon energy and associated infrastructure¹⁷.
- 2.2.3 Shoreham Port has EcoPort status from the European Sea Ports Organisation.
 The regeneration partnership aims to maximise the harbour area's potential as a hub for renewable energy.

¹⁶ Planning Act 2004 s.19 (1)(a) (as amended by Planning Act 2008 s.182)
17 NPPF (2012) paragraph 92

Objective 2: Shoreham Port:

To support a growing, thriving port

To facilitate the delivery of the adopted Port Masterplan, the provision of a modernised, consolidated and sustainable port and to promote the important role of the port in the local and wider economy.

- Shoreham Port is the largest commercial 2.2.4 port between Southampton and Dover, and the closest Channel port to London.
- 2.2.5 The port plays an important economic role in the area. Around 1,700 people are employed in the port and a further 1,000 nearby. It is an important location for the import and export of aggregates, timber, steel, oil and cereals.
- Shoreham Port Masterplan sets out 2.2.6 Shoreham Port Authority's strategy for the growth and development of the port. The regeneration proposals in this plan provide an opportunity for consolidating, reconfiguring and enhancing the operations of Shoreham Port.

Objective 3: Economy and employment:

To stimulate the local economy and provide new jobs.

To provide new, high quality employment floorspace and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities

- Local planning authorities must plan to 2.2.7 meet the development needs of business and support economic growth¹⁸. The proposals in this plan will contribute to providing employment space in the local area.
- For Adur, an Employment Land Review 2.2.8 (2014) identified the requirement for: 15,000 to 20,000m² office and research and development floorspace (use classes B1a and B1b); and, 35,000 to 40,000m² warehouse floorspace (use class B8)
- For Brighton & Hove, the Employment 2.2.9 Land Review (2012) identified the requirement for 112,240m² office floorspace (use classes B1a and B1b); and, 43,430 m² industrial floorspace (use classes B1c, B2 and B8)

¹⁸ NPPF (2012) paragraph 20

Objective 4: Housing and community:

To provide new homes and contribute to meeting identified housing need

To address shortfalls in local housing provision through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.

- 2.2.10 Local planning authorities must plan to meet objectively assessed needs for new housing and identify deliverable sites or broad locations with potential for new housing. Local plans must also include policies to deliver community infrastructure and local facilities. The proposals in this plan will contribute to delivering housing in the local area.
- 2.2.11 Adur needs 6,825 homes up to 2032).
 This is 325 homes per year. The full objectively assessed housing need cannot be met and the Adur Local Plan aims to deliver 3,718 dwellings over the plan period.
- 2.2.12 The objectively assessed housing need for Brighton & Hove that informed the City Plan Part One was 30,120 homes up to 2030. It was accepted this could not be met. Consequently the adopted City Plan Part One sets a housing target of 13,200 dwellings over the plan period.

Objective 5: Sustainable travel

To improve connections and promote sustainable transport choices

To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.

- 2.2.13 Local plans should promote development at locations that minimise trip generation and encourages the use of sustainable modes of transport¹⁹.

 Transport policies can support reductions in greenhouse gas emissions, as well as contribute to wider sustainability and health objectives²⁰
- 2.2.14 The Shoreham Harbour Transport
 Strategy includes a programme of
 transport infrastructure improvements,
 transport services and travel behaviour
 change initiatives.

¹⁹ Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development' 20 NPPF (2012) paragraph 29

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Objective 6: Flood risk and sustainable drainage

To reduce the risk of flooding and adapt to climate change

To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water runoff and water pollution have been reduced by the introduction of sustainable drainage systems.

- 2.2.15 Local plans should direct development away from areas at high risk of flooding. This is determined through the Sequential Test, and if necessary, the Exception Test²¹.
- 2.2.16 Both Adur and Brighton & Hove councils have carried out sequential and exceptions tests for the regeneration area. These have found the wider sustainability benefits of development at Shoreham Harbour outweigh the flood risk. Development must be safe, without increasing the flood risk elsewhere.

To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network

To conserve and protect the area's important environmental assets, wildlife habitats and ecosystem services and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.

To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including new green spaces and biodiverse green roofs and walls.

Objective 7: Natural environment, biodiversity and green infrastructure

²¹ NPPF (2012) paragraph 100

- 2.2.17 Local plans should contribute to and enhance the natural and local environment and effective reuse of brownfield land²².
- 2.2.18 The JAAP seeks the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. It is important future proposals take into account natural capital and seek to deliver net gains to biodiversity.

Objective 8: Recreation and leisure

To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.

To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both locals and visitors.

- 2.2.19 Local planning authorities should plan for recreational and leisure facilities and services to meet the needs of new development. Planning plays an important role in promoting healthy and active lifestyles. This includes the provision of open space, sports and recreation facilities²³.
- 2.2.20 Local plans should also include policies to protect and enhance public rights of way and access²⁴.

²³ NPPF (2012) paragraph 73 24 NPPF (2012) paragraph 75

Objective 9: Place making and design quality

To promote high design quality and improve townscape

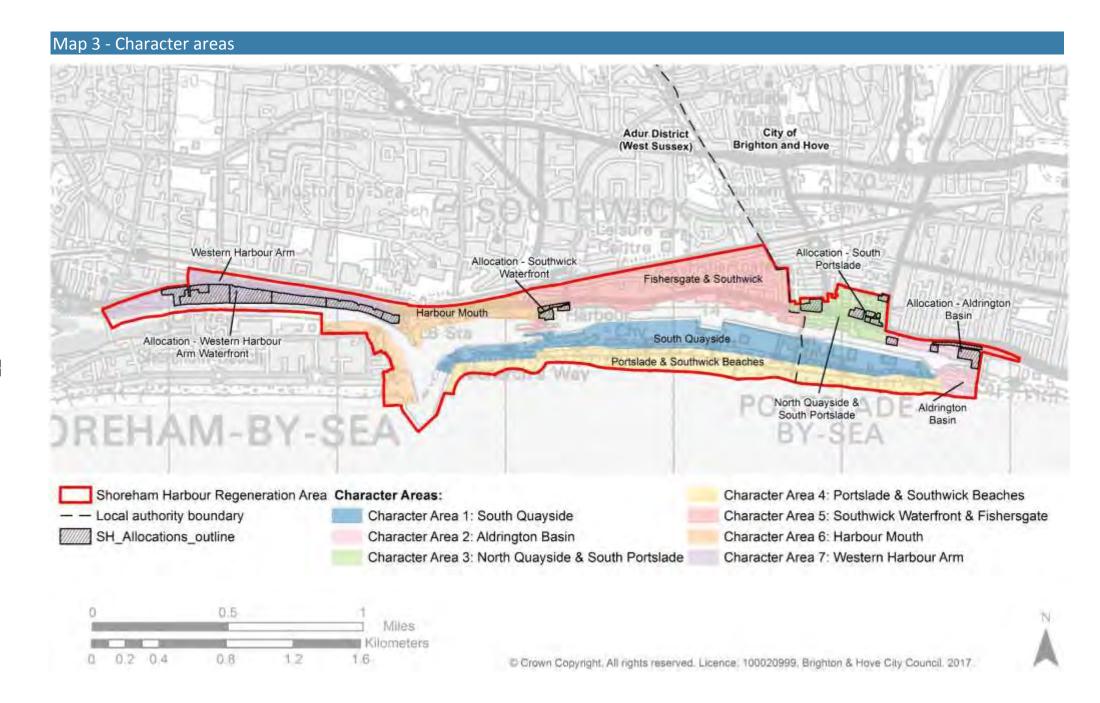
To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces.

To protect and enhance the area's historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.

2.2.21 Local plans should include policies that set out the quality of development expected in the area. New development should:

- function well
- establish a strong sense of place
- optimise the potential of the site
- respond to local character and history
- create safe and accessible environments
- be visually attractive²⁵
- 25 NPPF (2012) paragraph 58

- 2.3.1 This plan splits the regeneration area into seven character areas. These are shown in Map 3. The areas are:
 - CA1: South Quayside
 - CA2: Aldrington Basin
 - CA3: North Quayside and South Portslade
 - CA4: Portslade and Southwick Beaches
 - CA5: Fishersgate and Southwick
 - CA6: Harbour Mouth
 - CA7: Western Harbour Arm
- 2.3.2 Section 4 of this plan includes specific policies and proposals for each of these areas. This includes four allocations for new development. The allocations are:
 - Aldrington Basin (within CA2)
 - South Portslade (within CA3)
 - Southwick Waterfront (within CA5)
 - Western Harbour Arm Waterfront (within CA7)



70	2.3.3	Map 4 illustrates the key proposals in the plan. These include:
		CA1 – South Quayside
	2.3.4	South Quayside is mostly a port- operational area. Port facilities will be safeguarded and improved.
	2.3.5	The area also includes a waste water treatment works, power stations and renewable energy generation. These uses will be safeguarded.
		CA2 – Aldrington Basin
	2.3.6	Aldrington Basin includes a mixture of port operations, employment space and some residential areas. Port facilities will be safeguarded and improved.
	2.3.7	The area includes an allocation for proposed development of a minimum of 4,500m ² employment generating floorspace and 90 new homes.
		CA3 – North Quayside and South Portslade
	2.3.8	North Quayside is mostly a port- operational area. Port facilities will be safeguarded and improved.
	2.3.9	South Portslade is mostly an employment area. It includes an allocation for proposed development of a minimum of 3,000m ² employment generating floorspace and 210 new

homes.

CA4 – Portslade and Southwick Beaches

2.3.10 Access to Portslade and Southwick Beaches for pedestrians and cyclist will be improved. Habitats and biodiversity will be created and protected.

CA5 – Fishersgate and Southwick

- 2.3.11 Fishersgate and Southwick includes a mixture of port operations, employment space, residential areas and green space. Port facilities will be safeguarded and improved.
- 2.3.12 The area includes an allocation for proposed development at Southwick Waterfront. This will deliver a minimum of 4,000m² employment generating floorspace.
- 2.3.13 Lady Bee Marina will be expanded and improved. Green space will be improved and connected to create wildlife corridors and linear open spaces.
- 2.3.14 Improvements to existing housing estates will be supported. This includes the retrofit of energy efficiency measures.

CA6 – Harbour Mouth

- 2.3.15 Harbour Mouth includes portoperational areas, existing housing and employment space, and Kingston Beach. Port operational areas will be safeguarded and improved.
- 2.3.16 The area includes the historic buildings of Kingston Buci lighthouse and Shoreham Fort. These will be protected.

CA7 – Western Harbour Arm

- 2.3.17 Currently the Western Harbour Arm is mostly an employment area. It includes an allocation for proposed development at Western Harbour Arm Waterfront.

 This will deliver a minimum of 1,100 new homes and 12,000m² employment generating floorspace.
- 2.3.18 New flood defences will be built. A new waterfront route will improve connections for pedestrians and cyclists between Shoreham-by-Sea town centre and Kingston Beach. Habitats and biodiversity will be created and protected.





2.4 What are the constraints in the regeneration area?

2.4.1 Map 5 shows some of the main planning constraints in the regeneration area.
 Development and regeneration proposals need to consider these constraints.

Slipways and hards

2.4.2 There are several historic slipways and hards in the Western Harbour Arm area. Many of these are in a poor state of repair and are unusable for modern craft. However they are an important part of the heritage and character of Shoreham-by-Sea.

Historic buildings and conservation areas

- 2.4.3 The regeneration area includes part of the Shoreham-by-Sea Conservation Area and the Riverside section of the Southwick Conservation Area.
- 2.4.4 Shoreham Fort is a Scheduled Monument.
- 2.4.5 There are three Grade II listed buildings:
 - Royal Sussex Yacht Club
 - Sussex Arms Public House
 - Kingston Buci Lighthouse

Nature reserves

2.4.6 The Adur Estuary Site of Special Scientific Interest (SSSI) is close to the regeneration area. The Western Harbour Arm, in particular, is within the impact risk zone for this site. Parts of the SSSI are also an RSPB nature reserve.

There are Sites of Nature Conservation Importance (SNCIs) at Shoreham Beach and Basin Road South. Shoreham Beach is also a Local Nature Reserve.

Open space

- 2.4.7 Kingston Beach is a village green. This safeguards the beach as a public space.
- 2.4.8 Other public open spaces include:
 - Fishersgate Recreation Ground
 - The Ham, a small recreation ground and skate park in the Western Harbour Arm area
 - The Garden, a pocket park at Coates Court, Southwick
 - The Sanctuary, a pocket park at Laylands Court, Fishersgate
- 2.4.9 The regeneration area is also close to Hove Lagoon and Vale Park.

Air quality

- 2.4.10 There are two Air Quality Management Areas (AQMAs) that are partly within the regeneration area. The Brighton & Hove and Portslade AQMA in the east. And the Shoreham AOMA in the west.
- 2.4.11 These AQMAs have been designated due to the high level of pollutants from road vehicle emissions. Each AQMA has an Air Quality Action Plan which sets out how this is managed.

Hazardous substances

- 2.4.12 There are three Health and Safety
 Executive (HSE) Consultation Zones in
 the regeneration area. These limit the
 types of development that are allowed
 close to sites where hazardous
 substances are handled. There is also a
 Development Proximity Zone at the
 Fishersgate site.
- 2.4.13 The Western Harbour Arm site will become inactive during the plan period. Adur District Council will seek to revoke the hazardous substances consent for this site at that time.



3 Area-wide policies

3.1 Objective 1: Climate change, energy and sustainable building

To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub

To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity, and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.

To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area; particularly those that take advantage of the harbour's coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.

- 3.1.1 Section 19 (1A) of the Planning and Compulsory Purchase Act (2004) (as amended) legally requires local planning authorities to include in their plans "policies designed to secure that the development and use of land ... contribute to the mitigation of, and adaptation to climate change".
- 3.1.2 The National Planning Policy Framework (NPPF) states that:

"Planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development."²⁶

- 3.1.3 In line with the carbon reduction targets in the Climate Change Act 2008, the National Planning Policy Framework (NPPF) states that local authorities should take a proactive approach to mitigating and adapting to climate change²⁷.
- 3.1.4 The NPPF also states that local planning authorities should positively promote energy from renewable and low carbon sources and identify areas for renewable and low energy sources, and supporting infrastructure²⁸.
- 3.1.5 Planning Practice Guidance (PPG) states that the inclusion of policies to contribute to the mitigation of, and adaptation to, climate change is a consideration when examining a plan for soundness²⁹.

²⁷ NPPF (2012) paragraph 94 28 NPPF (2012) paragraph 97 29 PPG (2014) paragraph 6-002

- 3.1.6 The harbour falls within the Brighton & Hove Downs Biosphere area which promotes world class management of the environment. Shoreham Harbour is identified as a future hub for low carbon energy and decentralised energy generation.
- 3.1.7 The Coast to Capital Local Economic
 Partnership (LEP) and the Greater
 Brighton City Deal are promoting the
 potential for district heating networks
 and an eco-technology cluster at
 Shoreham Harbour. There is significant
 potential to leverage investment and
 resources for delivery in this area.

Sustainable building and design

- 3.1.8 The Adur Local Plan includes a requirement for a Sustainability Statement to accompany development proposals within the parts of the regeneration area in Adur. Guidance is set out within Sustainability Statements Guidance Note: Shoreham Harbour.
- 3.1.9 Brighton & Hove City Plan Part One policy CP8 Sustainable Buildings sets out requirements for sustainability standards and issues that must be addressed by all development proposals.

Creating an exemplar renewable energy hub

- **Shoreham Harbour Regeneration** 3.1.10 Partnership was awarded funding under the second wave of the government's Eco-Towns programme in 2009 and a Capacity and Viability Study (2010) was commissioned to explore its potential to meet the programme criteria. A Shoreham Harbour and Adur District Energy Strategy (2009) and Brighton & Hove Renewable and Sustainable Energy Study (2012) have also been carried out which both highlighted the potential of the harbour to significantly contribute towards meeting the renewable energy needs of the sub-region.
- 3.1.11 Shoreham Port has European 'Eco Port' status and as a community trust Port is motivated to maximise its potential as a hub for renewable energy generation and waste heat distribution.
- 3.1.12 Building-related energy consumption is a significant contributor to greenhouse gas emissions. The hierarchy of demand reduction, efficient energy supply and renewable energy provision represents the most cost-effective means of reducing energy consumption and greenhouse gas emissions for new developments.

Passive design makes the best use of site orientation, building form, layout, landscaping and materials to maximise natural light and heat, whilst avoiding overheating by providing passive cooling and ventilation.

Low and zero-carbon technologies include, but are not limited to the following:

- Solar-thermal water heating
- Air, ground or water source heat pumps
- Efficient gas boiler

3.1.13

- Gas combined heat and power (CHP)
- Solar photovoltaic (PV) panels
- Wind turbines

Potential for district heat network

3.1.14 As set out in Policy DA8 of the *Brighton & Hove City Plan Part One*, the city council is proactively encouraging opportunities that arise to incorporate waste heat or other heat sources into the heat networks for the city. The Brighton & Hove Energy Study (2013) identified the potential for district heating networks in and around Shoreham Harbour within a long list of priority areas.

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- 3.1.15 New development that takes place within the long-list of priority areas will be encouraged to consider low and zero carbon decentralised energy possibilities and will be required to either connect where a suitable network is in place (or would be at the time of construction) or design systems to be compatible with a future connection to a network.
- 3.1.16 As part of the South Quayside Character Area proposals (within Section 4 of this document), there is potential to work with the existing Shoreham Power Station to deliver a district heating network to provide waste heat to local consumers.
- 3.1.17 The Heat Network Delivery Unit (HNDU)³⁰ has provided part funding to explore the potential for heat networks in and around Shoreham Harbour. The Shoreham Harbour Heat Network Study (2016) mapped heat demands and identified potentially viable scenarios for network development.

- 3.1.18 The partnership has commissioned a further study to carry out detailed feasibility and business model options appraisals of the potential network. This study will be complete in early 2018. If feasible and deliverable, the network may be run by the local authorities or be an independent delivery body or Energy Service Company (ESCo).
- 3.1.19 Development should demonstrate that the heating and cooling systems have been selected in accordance with the following heating and cooling hierarchy
 - Connection to existing combined heat and power (CHP) distribution networks
 - Site wide renewable CHP
 - Site wide gas-fired CHP
 - Site wide renewable community heating/cooling
 - Site wide gas-fired community heating/cooling
 - Individual building renewable heating
 - Individual building heating, with the exception of electric heating
- 3.1.20 All CHP must be of a scale and operated to maximise the potential for carbon reduction. All buildings must adhere to the guidelines set out in Chapter 3 Design of the CIBSE Heat Networks Code of Practice for the UK.

- Offshore and onshore wind power
- 3.1.21 The Rampion offshore wind farm is under construction 13km off the Sussex coast to the south and east of Shoreham Harbour. The development will comprise up to 116 wind turbines with a gross capacity of up to 400MW. There will be potential supply chain benefits for Shoreham Harbour and the local economy.
- 3.1.22 Shoreham Port Authority has also installed two medium scale (100kw) onshore wind turbines in the South Quayside area as an effective way of increasing renewable energy generation and reducing carbon emissions. The turbines will generate, on average, 555,000kWh electricity per year to power the nearby port Pump House.
- 3.1.23 Proposals for turbines are subject to environmental impact assessment as part of the planning application process.

³⁰ HNDU is now part of the Department for Business, Energy and Industrial Strategy (BEIS). It wasformerly part of the Department for Energy and Climate Change (DECC), which was abolished in 2016.

Solar Photovoltaics

- 3.1.24 The expanse of warehouses roofs in the harbour area offer significant potential for solar PV power generation.

 Shoreham Port Authority has worked with Brighton Energy Cooperative to install a large number of solar panels on a number of these roofs. The project is funded by community investors buying shares in the cooperative.
- 3.1.25 There is also the potential for solar energy generation on the roofs of the Adur Homes estates at Southwick and Fishersgate. The regeneration partnership will support Adur Homes to explore these opportunities.

Sustainable use of water

- 3.1.26 Shoreham Harbour is supplied with water from the Brighton Chalk Aquifer. This is an important and heavily exploited resource. The Environment Agency has classified the location as falling within an area of 'serious water stress', where demand for water is high and resource availability is low.
- 3.1.27 New development at the harbour offers the opportunity to incorporate sustainable drainage systems (SuDS). These can provide a range of sustainability benefits in addition to managing surface water, including enhancing biodiversity and reducing flood risk.
- 3.1.28 Water efficiency standards can help to deliver the objectives set out within both the Biosphere Management Strategy (2014-2019) and the South East River Basin Management Plan (2016). The basin plan contains an action that requires local authorities to seek the use of water efficiency standards that exceed the Building Regulations where there is local evidence to support this need.

Policy SH1: Climate change, energy and sustainable building

- Development proposals should demonstrate how they maximise opportunities to support local sustainability objectives and commitments.
- A completed Sustainability Checklist will be required to accompany all development proposals in the areas of the harbour within Brighton & Hove. A Sustainability Statement will be required to accompany all development proposals within Adur.
- 3. Where it is feasible and viable, development should seek to achieve zero-carbon status, in particular within the four site allocations. This will include the use of passive design measures. Proposals must demonstrate good thermal performance and air tightness to prevent heat loss.
- 4. Developers should demonstrate how they can contribute towards Shoreham Port Authority's objective of becoming a hub for renewable energy generation.
- 5. All new development will be expected to incorporate low and zero carbon decentralised energy opportunities.

District heating and cooling

- 6. Development in areas identified in the Shoreham Harbour Heat Network Study (2016), or subsequent update, will be expected to connect to district heating networks where they exist, or incorporate the necessary infrastructure for connection to future networks.
- 7. Where no heat network is in place, development must be connection ready. All buildings must adhere to the following technical specifications:
 - Buildings must use a centralised communal wet heating system rather than individual gas boilers or electric heating.
 - Buildings must allow adequate plant room space to allow for connection at a later date (the exact requirement to be agreed with the councils and their representatives).
 - The developer must identify and safeguard a pipe route to allow connection between the building and the highway or identified network route where available.
 - The developer must not in any other way compromise or prevent the potential connection.

Sustainable use of water

- 8. All developments should seek to achieve high standards of water efficiency and explore potential to implement measures to recycle, harvest and conserve water resources.
- 9. All new homes should achieve (as a minimum standard), internal water use of no more than 110 litres per head per day and all new commercial buildings should meet the BREEAM 'excellent standard'.
- 10. Opportunities should be sought to link together development within the regeneration area with site-wide recycled water networks, taking advantage of the diversity of water sources and uses onsite. This process will be supported by the local authorities. Where a recycled water network is delivered on site, all buildings are required to connect, if practical to do so.

3.2 Objective 2: Shoreham Port

To support a growing, thriving port

To facilitate the delivery of the adopted Port Masterplan, the provision of a modernised, consolidated and sustainable port and to promote the important role of the Port in the local and wider economy.

- 3.2.1 Shoreham Harbour contains the entirety of the working Trust Port of Shoreham. Since 1760 the Shoreham Port Authority has had responsibility for operating and managing Shoreham Port. The continued existence of a thriving and expanding commercial port is an integral part of the regeneration proposals
- 3.2.2 As a Statutory Harbour Authority,
 Shoreham Port Authority is responsible
 for the management of navigational
 safety within harbour limits between
 Hove Lagoon, the Old Toll Bridge on the
 River Adur and the outer Port limits.
 Shoreham Port Authority is also a
 Competent Harbour Authority within
 the provisions of the Pilotage Act 1987.
- 3.2.3 Shoreham Port Authority provides conservancy and a vessel information service for ships and craft using the port, including the maintenance of navigational channels, moorings, lights and the provision of hydrographic, tidal and other information. There are also a number of byelaws which govern operations and activities within the harbour limits.

- 3.2.4 The current level of use at Shoreham Port is 700 to 900 ship arrivals per year, which results in a trading throughput of approximately 1.8 to 2 million tonnes per year. The main commodities that are imported and exported at the Port are aggregates, timber, scrap metal, cereals, oil and increasingly steel. The Port Masterplan (2010) aims to provide the capacity for a 25% increase in trade by 2026.
- 3.2.5 The port is a significant local employer providing around 1,700 jobs. Employers range from large multinationals, national firms, through to a variety of small and medium sized firms including motorbike repairs and cheese suppliers.
- 3.2.6 Delivery of the proposals identified in the Port Masterplan have the potential to create a further 500 local port-related jobs.

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- 3.2.7 Land restrictions are an obstacle to growth within the port. It is therefore important to maximise the productivity of the existing port land. The JAAP aims to do this by focusing commercial port activity at the Eastern Arm and Canal, and by ensuring that vacant and underused sites are used to their full potential.
- 3.2.8 Non-port related industries currently located within the Eastern Arm and the Canal will be relocated, in order to expand the port's capacity and secure future operations. In parallel, current port-related activities in the Western Harbour Arm will be relocated where and when possible through securing alternative sites within the harbour, or elsewhere in the region. This will enable the land to be used for other developments.

Port Masterplan

3.2.9 Shoreham Port Authority's strategy for growth is set out in the updated Shoreham Port Masterplan (2016) and involves consolidating port-related uses within the Eastern Arm, Canal and South Quayside. The JAAP aims to promote the masterplan objective of enhancing the port's role in the local community, particularly in terms of jobs and trade growth.

Eco-Port Status and Renewable Energy Hub

Shoreham Port Authority has an environmental policy and has EcoPort status, shared with other ports in Europe. The port uses power for lighting on the terminals, operating the lock gates and water pumps which are used to keep the water at a constant level. Opportunities are being explored to reduce the reliance on traditional forms of energy by producing energy locally from renewable sources instead. Adapting to Climate Change

3.2.10 In accordance with the National Ports
Policy Statement (2012), new port
infrastructure will typically be long-term
investments which will need to remain
in operation over many decades, in the
face of a changing climate.
Consequently, proposals for new
development must consider the impacts
of climate change when planning the
location, design, build and operation of
new port infrastructure.

Land Reclamation and Infilling

Previous development proposals for the harbour have included the reclamation of land out to sea on the south side of South Quayside, however the costs of implementation were considered to be prohibitive in the short to medium term. Whilst large scale land reclamation is not considered viable, it has been proposed on a limited scale within the canal, including at Britannia Wharf, as well as at Albion and Turberville Wharves, where it is hoped to increase the overall capacity and efficiency of the site.

Permitted Development Rights

3.2.11 Shoreham Port Authority has permitted development rights for certain types of development within the harbour meaning that planning permission from the local planning authority is not required. These rights are set out within the Shoreham Harbour Acts and also reflected within the General Permitted Development Order (GPDO) 2015; Part 17, Development By Statutory Undertakers, Class B (Dock, Pier, Harbours, Water transport, canal or inland navigation undertakings).

Minerals Wharfs

- 3.2.12 The NPPF provides protection to mineral wharves, stating that local planning authorities should safeguard existing, planned and potential wharfage for bulk transport of minerals, secondary materials and marine- dredged aggregates (paragraph 143).
- 3.2.13 Minerals wharf capacity at Shoreham
 Harbour makes a significant
 contribution to meeting the needs for
 aggregate imports in the sub-region.
 Most of the wharf capacity is contained
 within the Eastern Arm and Canal.
- Policy WMP 15 of the East Sussex, South 3.2.14 Downs and Brighton & Hove Waste and Minerals Plan (2013) safeguards existing, planned and potential minerals wharf facilities and their consequential capacity for receiving and processing sea-borne imported aggregates at the Shoreham Port. The policy does allow for some redevelopment of wharves if overall capacity is maintained at the harbour. It is recognised that this capacity could be in the West Sussex portion of the harbour. The East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted 2017) identifies the area of the Port falling within Brighton & Hove for safeguarding where policy WMP15 will apply.
- Policy M10 of the Submission Draft West Sussex Joint Minerals Local Plan (2017) safeguards permanent mineral wharves at Shoreham Port for the purpose of minerals transportation. The policy further safeguards temporary consent granted at New Wharf and Kingston Wharf, to ensure they can continue to operate without prejudice, whilst they have planning permission. The plan states (paragraph 6.10.11) further temporary permissions may be granted for mineral related development at these sites if there is not a conflict with other development plan policies and objectives. These temporary permissions can contribute positively to ensuring a steady and adequate supply of minerals to the area.

3.2.15

3.2.16 There are several larger safeguarded sites within the heart of the port operational area that are actively used to discharge aggregates which offer unused capacity and therefore potential to mitigate the loss of wharves elsewhere in the port.

- 3.2.17 The regeneration partnership is exploring how best to deliver the safeguard sites policies at Shoreham Harbour to protect the overall wharfage capacity at the port whilst maintaining flexibility over which sites can contribute to meet aggregate needs.
- 3.2.18 In accordance with the NPPF, Shoreham Port Authority will continue to work closely with local minerals planning authorities in preparing their annual Local Aggregate Assessment based on a rolling average of 10 years sales data, other relevant local information and an assessment of all supply options (including marine dredged, secondary and recycled sources).
- West Sussex County Council has 3.2.19 prepared a Statement of Common Ground (2016) between the project partners, and the neighbouring minerals authorities (East Sussex County Council and South Downs National Park Authority) to establish cooperation and collaboration between the parties in addressing strategic cross-boundary issues as they relate to planning for minerals infrastructure and their safeguarding at Shoreham Port. The statement sets out matters of agreement and commitment to a future policy approach, reflecting the aspirations for regeneration at the harbour.

Policy SH2: Shoreham Port

- New development proposals within the port area will be assessed against the objectives of the Port Masterplan, which will be treated as a material consideration.
- Parts of the harbour as identified within this plan will be safeguarded for port operational uses and will be the focus for commercial port activity. Non-port related activities will be resisted in those areas.
- Acceptable uses will need to demonstrate the requirement for a port-side location or are ancillary to a use requiring a port-side location.
- 4. Sui generis uses appropriate to a port-side industrial location will also be acceptable provided they generate comparable levels of employment to B1-B2 use classes.
- New development within the harbour area should not conflict or unreasonably constrain the day to day operations and workings of the port and port-related uses.

- 6. Proposals in the vicinity of port operational areas should give careful consideration to health and safety implications in relation to access to the waterfront and to the security of moorings and storage areas. Security and safety implications should be considered at the outset and discussed with Shoreham Port Authority at an early opportunity.
- 7. Proposals for uses that support the port's status as an 'Eco port' and hub for renewable energy generation will be encouraged.
- New port infrastructure proposals should consider the impacts of climate change when planning the location, design, build and operation of new port infrastructure.
- Proposals for the upgrade, intensification, and refurbishment of sites so they meet modern business standards and are more resource efficient will be supported.
- 10. There should be no net loss of employment floorspace in port operational areas as a result of new development proposals unless exceptional circumstances can be demonstrated.

3.3 Objective 3: Economy and employment

To stimulate the local economy and provide new jobs

To provide new, high quality employment floorspace and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities.

- 3.3.1 The development of the harbour area is a long-term aspiration. In the short to medium term (5-10 years) it is essential to ensure that the initial phases of development do not compromise the operations of businesses on sites which are unlikely to come forward until later in the process. The regeneration partnership is committed to continuing a process of dialogue to ensure mutually appropriate development as and when sites come forward.
- The JAAP proposals have been prepared 3.3.2 in line with consideration of their impacts on the local economy. A preliminary *Economic Impact* Assessment (GL Hearn, 2013) has been undertaken which has indicated that the proposals could generate a significant net increase in employment and additional economic output. The proposals will also promote increased supply chain opportunities, with the new business base created by the proposals potentially supporting further indirect job creation in the local economy.

- 3.3.3 Whilst the proposals will result in overall losses of employment land footprint as land is redeveloped for other uses, the profile of the new employment space that is created and retained will support the objectives identified in the Brighton & Hove and Adur Employment Land Studies, particularly by:
 - Renewing older and poor quality industrial stock and delivering quality workshop and industrial space to meet the needs of key creative/digital industries as well as emerging high-tech manufacturing and environmental technologies sectors.
 - Expanding Adur's under-developed office market through the provision of new office accommodation and thus supporting growth in higher value-added sectors.
 - Providing an opportunity to deliver small, affordable, start-up office space for which there is a continuing need in Brighton.

- 3.3.4 Proposals that incorporate initiatives and opportunities to secure apprenticeships, training and new job opportunities for the local area will be encouraged. As part of planning obligations associated with major development schemes developers may be required to contribute towards the provision of good quality employment and training opportunities during construction.
- 3.3.5 The regeneration partnership will continue to work with key stakeholders and local service providers to improve access and links to training and skills opportunities for local people. The Coast to Capital Local Enterprise Partnership (LEP) has produced a Skills Strategy (Skills for Growth, 2015) which identifies the need for improved employee skills across the LEP area. The Partnership will proactively engage with the LEP on this matter.

Policy SH3: Economy and employment

- 1. The JAAP proposals support the delivery of a minimum of 16,000m2 of new employment generating floorspace in Adur and 7,500m2 in Brighton & Hove.
- 2. To prevent the loss of employment floorspace and associated jobs in the local area, the authorities will aid the relocation of existing occupiers displaced by new development within the regeneration area, district or sub-region depending upon individual requirements.
- 3. Prior to sites coming forward for redevelopment to alternative uses, planning permissions for continuation of current employment uses may be granted for temporary periods on a case-by-case basis.
- 4. The Councils will seek agreement with developers to secure appropriate training and job opportunities for local residents.
- New development will be required to contribute to the improvement of the local highways network and public realm to improve the street environment for local businesses.
- Proposals should seek to incorporate or contribute towards enhancements to areas of public realm identified as being of poor quality.

Retail uses

- 7. As part of mixed-use redevelopments, small-scale, ancillary retail uses are acceptable provided that such activity will assist in enlivening key frontages and supporting existing retailing areas. Proposals should be appropriate and complementary in relation to Shorehamby-Sea town centre and the existing district centre designation on Boundary Road/Station Road.
- 8. New development for town centre uses (other than small-scale ancillary uses mentioned in clause 1) outside of the defined town centre boundary (or Primary Shopping Area in the case of retail uses) will be assessed in accordance with the National Planning Policy Framework sequential and impact tests. An impact test will be required for any proposed retail development outside of the Primary Shopping Area with a net sales floorspace of 1,000m2 or more.

3.4 Objective 4: Housing and community

To provide new homes and contribute to meeting housing need

To address shortfalls in local housing provision through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.

- Both Adur and Brighton & Hove are 3.4.1 geographically constrained by the sea and by the South Downs National Park to the north. Most of the remaining green space is protected through environmental designations, to prevent coalescence of settlements and for its recreation and amenity value. As a result, there is a limited supply of sites where new homes can be built and therefore development mainly consists of building on previously developed (brownfield) sites and small scale infill sites. Despite this, the demand for new homes continues to grow creating a challenge for local authorities in identifying new sites.
- Housing needs assessments for both 3.4.2 Adur and Brighton & Hove have identified a shortfall in housing provision in relation to need, in particular affordable and family sized homes. Supporting the delivery of new housing areas is central to the vision of transforming the harbour into an attractive waterfront community. The JAAP will support the regeneration of a number of brownfield sites which have been identified as suitable for residential development, balanced with the protection of key employment sites in other parts of the harbour.

3.4.3 Most residential development within the Shoreham Harbour Regeneration Area is expected to be multistorey flats. A small number of terraced town houses may be appropriate on a small number of allocated sites.

Social and community infrastructure

- 3.4.4 To ensure the regeneration of Shoreham Harbour promotes healthy, sustainable communities, it is important that appropriate and sufficient social and community infrastructure is provided in accessible locations to serve all parts of the community. An increase in population in the area will place pressure on existing facilities and create the need for new infrastructure provision.
- 3.4.5 Social infrastructure refers to emergency services, schools and colleges, health facilities, community spaces and cultural venues in the area.
- 3.4.6 Specific items of supporting infrastructure that will need to be delivered for Shoreham Harbour are set out within the Infrastructure Delivery Plans (IDPs) that accompany the Adur Local Plan and Brighton & Hove City Plan Part One.

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- 3.4.7 These are live documents that are continuously updated and identify the range of different stakeholders that are responsible for delivery as well as associated costs, funding sources, priorities and progress.
- 3.4.8 Specific requirements relating to delivery of the Western Harbour Arm proposals are set out under 4.7 Western Harbour Arm.
- 3.4.9 The Brighton & Hove IDP sets out specific requirements to support the proposed increase in residential population at South Portslade Industrial Estate and Aldrington Basin. In particular planning obligations towards education and health/medical services will be sought from new developments coming forward.
- 3.4.10 The Adur Local Plan (2016) includes
 Policy 34: Planning for Sustainable
 Communities that resists the loss of
 existing community facilities. Also refer
 to SH17: Planning obligations towards
 infrastructure delivery in this plan.

Policy SH4: Housing and community

- Sites identified for residential-led redevelopment should contribute a minimum of 1,400 new homes across the harbour area by 2032, comprising 1,100 within Adur and 300 within Brighton & Hove.
- 2. Developers will be required to ensure that proposals deliver a mixed and balanced community through providing a mix of dwelling types, sizes and tenures in accordance with identified local needs including suitable family accommodation.
- 3. New residential development will be expected to make provision for a mix of affordable housing, including social rented, affordable rented and intermediate housing in accordance with local plan policies.
- 4. Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan.

- 5. Residential development in close proximity to existing or proposed employment activities and port uses must be carefully designed and incorporate appropriate mitigation measures to prevent future conflicts arising and maintain the continued operation of business uses.
- 6. Innovative solutions to mitigation will be encouraged to ensure that residential-led development proposals are capable of existing with neighbouring uses, as well as the long-term development scenario envisaged in the JAAP.

3.5 Objective 5: Sustainable travel

To improve connections and promote sustainable transport choices

To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.

3.5.1 Transport improvements will be required to support the JAAP proposals and reduce the impact of existing and future traffic congestion and related air quality and noise impacts, in particular the impacts on the two Air Quality Management Areas (AQMAs). Measures that reduce reliance on the private car and improve sustainable transport choices will be promoted.

Road Network

3.5.2 The coastal settlement pattern of the regeneration area is linear with most of the key roads connected by the A259 which runs east to west through the Shoreham Harbour area. The A27 provides the strategic inland route taking much of the through traffic; however there is a significant volume of local traffic along the A259 including heavy goods vehicles.

3.5.3 Access to the main operational port area is via two main entrances off the A259 which are not well connected to the A27. The advisory lorry route to Shoreham Harbour from the A27 is via the A293. As a result heavy goods vehicles often pass through either residential areas (via the advisory routes) or the town centres of Shoreham-by-Sea and Portslade.

3.5.4 At peak periods journey times for vehicles on the A259 are slow, for example Shoreham High Street. As a gateway to the regeneration area the A259 will be required to facilitate development traffic and provide access to local services, and reducing congestion on this key route is therefore essential to the regeneration proposals.

Public Transport

3.5.5 Public transport accessibility to the harbour is generally good with four local railway stations on the West Coastway line serving most of the population within a 20 minute walk. Despite good accessibility, the railway line acts as a physical barrier to north – south movements for other road users.

3.5.6 Capacity constraints on the Brighton
Main Line and West Coastway have
been identified by Network Rail as
significant challenges facing this part of
the rail network.

3.5.7 There are frequent buses along the A259. However, north-south movements are limited due to the road layout and severance created by the A259 and roads running under the railway line. In addition, there is scope to improve public perception of the bus network.

Walking and cycling

- 3.5.8 Shoreham Harbour is well served by pedestrian infrastructure; however the environment for pedestrians is considered to be poor and unattractive in places, and may not encourage short walking trips. In places the network is narrow, in poor condition, close to road traffic or poorly lit. The railway line and A259 both act as barriers to pedestrian movements causing severance.
- 3.5.9 Two key pedestrian routes connect across the harbour the Adur Ferry Bridge from Shoreham-by-Sea town centre to Shoreham Beach and the harbour lock gates to Southwick Beach. Whilst both are well used, up until recently neither of these has offered a high quality pedestrian environment. The Adur Ferry Bridge now provides a much improved pedestrian and cycle connection between Shoreham Beach and Shoreham-by-Sea town centre and railway station.
- 3.5.10 To the east, the Brighton & Hove seafront provides a heavily used promenade for pedestrians and cyclists and a series of recreational activities. This ends abruptly at Hove Lagoon immediately to the east of Shoreham Harbour.

- 3.5.11 Southwick Beach and Carats Cafe act to some extent as destinations that help draw people to walk along the eastern part of the harbour and across the lock gates from Southwick. There is a significant opportunity to improve the quality of this experience. There are also opportunities to create visitor destinations around Shoreham Fort on Shoreham Beach and the lighthouse on Kingston Beach.
- Monarch's Way is a long distance 3.5.12 footpath running between Worcester and Shoreham Harbour. The route runs along Basin Road South and then along the promenades of Hove and Brighton before turning inland. Natural England is leading the delivery of the England Coast Path: a national trail that will run the entirety of the coast of England. This is planned to share the route along Basin Road South then cross the harbour at the lock gates and follow the A259 as far as Adur Ferry Bridge. In the longer term the waterfront route at the Western Harbour Arm could be designated as part of the route.
- 3.5.13 The National Cycle Route 2 (NCN2) from Dover to Penzance runs through the regeneration area. This route also uses Basin Road South, before crossing the lock gates and taking an inland route to Shoreham town centre and the Adur Ferry Bridge.

- 3.5.14 The Shoreham Harbour Transport
 Strategy identifies a dedicated, safe and continuous cycle facility along the A259 from Wharf Road to Surry Hard, providing a core cycle route, a critical item of infrastructure. Reducing the intimidating nature of the A259 corridor for cyclists with quality surfacing, clear signing, and provision for cycles at side roads or accesses
- 3.5.15 The A259 does not currently have good infrastructure for cyclists and is heavily used by motor vehicles, including HGVs. However the road provides the most direct route between Hove and Shoreham-by-Sea. Many cyclists therefore use this route. The partnership is exploring the potential for dedicated cycle facilities along this route.

Transport Strategy

3.5.16 The Adur Local Plan & Shoreham
Harbour Transport Study (2013) and
addendums (2014; 2016) assessed the
impact of proposed housing and
employment development at Shoreham
Harbour on the highway network. It
proposes a package of mitigation
measures which will reduce the impact
of development and encourage a shift in
travel patterns to sustainable modes of
transport. This package consists of
sustainable transport measures,
behaviour change initiatives and
junction capacity improvements.

3.5.17 The Shoreham Harbour Transport
Strategy was developed alongside the
JAAP to support regeneration and
development at Shoreham Harbour. The
strategy contains a package of
integrated transport measures that will
guide the provision of transport
infrastructure for the next 15 years.

3.5.18 The strategy takes a balanced view of transport provision in the regeneration area focusing on improvements to the existing road network and measures to encourage the use of sustainable modes of transport. Five key outcomes are identified in the Transport Strategy:

- OC1 Reduced levels of congestion
- OC2 Strengthened sustainable transport mode share
- OC3 Improved connectivity
- OC4 A safe and attractive environment

3.5.19

OC5 Adequate parking provision and controls

Examples of behaviour change initiatives include travel plans, car sharing schemes, encouraging shared car ownership, and cycle training. This study is part of the evidence base for the Shoreham Harbour Transport Strategy and development proposals will be expected to contribute towards the package of measures identified.

Parking

3.5.20 Guidance produced by West Sussex County Council states that car parking provision for residential development should: take account of the expected levels of car ownership; ensure high quality of design; make efficient use of land. The guidance outlines that expected levels of car ownership and demand should be determined taking account of the type, size and tenure of the proposed development.

3.5.21 Brighton & Hove standards currently outline maximum levels of parking, however it is anticipated that new guidance will put a priority on minimising off-street car parking provision in accessible locations.

3.5.22 Due to the constrained nature of allocated sites at Shoreham Harbour, innovative approaches to parking will be required. The Transport Strategy identifies a localised approach to car parking provision such as using appropriate parking controls and the use of car clubs.

Policy SH5: Sustainable travel

- New development in the regeneration area must demonstrate how it intends to reduce the need to travel by car and should help to deliver sustainable transport improvements as identified in the Shoreham Harbour Transport Strategy.
- 2. Development will be required to contribute towards implementation of the area-wide travel behaviour change and travel choice programme set out in the Shoreham Harbour Transport Strategy.
- 3. The layout and streetscape of the allocations should be designed to give pedestrians and cyclists priority over vehicular traffic wherever possible.
- 4. Developments will be required to contribute towards the delivery of transport infrastructure which reduces congestion and increases the use of sustainable transport modes. Specific measures are identified in the Shoreham Harbour Transport Strategy including junction capacity improvements, improvements to bus and rail infrastructure and better cycling and pedestrian routes and facilities.

- 5. Improvements should focus on the following priority corridors and seek to minimise the impact of traffic, including HGV's, on surrounding communities:
 - A259
 - A283
 - A293
- regeneration area, development proposals must provide or contribute towards the delivery of a comprehensive and well integrated transport network with strong linkages to town / district centres, the harbour waterfront / coastline, the South Downs, access routes and surrounding neighbourhoods. Specific network improvements for these supporting links are identified in the Shoreham Harbour Transport Strategy.
- Proposals that incorporate facilities and/ or initiatives to promote the use of the river as a means of transport, such as provision of pontoons and additional moorings will be encouraged.
- 8. Improvements must be consistent with recommendations in the Shoreham Harbour Streetscape Guide and Shoreham Harbour Transport Strategy.

Parking

- 9. Car parking provision will be considered as part of the overall package of measures that impact on the need to travel resulting from the development. Proposals should include adequate levels of car parking for residential development or measures to promote lower levels of car ownership.
- 10. For commercial development, car parking provision should be in line with local authority maximum standards.
- 11. The amount of surface and on-street car parking should be minimised wherever possible and innovative solutions to the provision of car and cycle parking are encouraged as informed by the Shoreham Harbour Transport Strategy. Measures could include the creation of new car clubs or the extension of existing car clubs, by providing additional vehicles in appropriate locations and access to membership, to cover the regeneration area.
- 12. All new development proposals will be required to provide adequate, appropriate and secure cycle parking and storage facilities.

3.6 Objective 6: Flood risk and sustainable drainage

To reduce the risk of flooding and adapt to climate change

To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water run-off and water pollution have been reduced by the introduction of sustainable drainage systems.

- 3.6.1 Parts of the regeneration area are at a high risk of flooding due to the proximity to the coastline and the River Adur, exacerbated by the low lying topography of some sites. This is especially true for the Western Harbour Arm, parts of Aldrington Basin, Southwick and Portslade beaches as well as the port operational area.
- Tidal flooding presents the most 3.6.2 significant risk to the area. The Adur & Worthing and Brighton & Hove Strategic Flood Risk Assessments identify a number of sites located within Tidal Flood Zones 2, 3a, 3b and Nonfunctional Flood Zone 3b. This latter category recognises that some sites have the same risk of tidal flooding as Flood Zone 3b but do not have a significant storage or conveyance potential which materially impacts flood risk elsewhere. In addition to this tidal flood risk, some areas are also affected by fluvial and surface water flooding.
- Working closely with the Environment 3.6.3 Agency, the partnership has prepared a Shoreham Harbour Flood Risk Management Guide SPD which sets out the types of flood risk present in the harbour area, the vision for a comprehensive flood defence network along the Western Harbour Arm and the requirements of developers in relation to mitigating flood risk in the regeneration area. This guide has been adopted by both Adur and Brighton & Hove councils. A key consideration of the SPD is the impact that climate change will have on rising sea levels, storm frequency and storm magnitude.
- 3.6.4 Brighton & Hove City Council, in partnership with Adur District Council and the Environment Agency, has produced the *Brighton Marina to River Adur Coastal Strategy Study*. This document examines how the stretch of coastline between Brighton Marina and the River Adur (up to the Canal lock gates in Southwick) will change over the next 100 years. This includes identifying erosion and flood mitigation measures that need to be delivered over this period.

- 3.6.5 Proposed flood defence improvements identified in this strategy would enhance the standard of protection for allocated sites identified in this plan, such as Southwick Waterfront and Aldrington Basin. The proposals identified in the strategy are therefore fully supported by the Partnership. A similar strategy, The Rivers Arun to Adur Flood and Erosion Management Strategy (2010) has already been adopted by DEFRA. This strategy includes a large part of the River Adur taking in the Western Harbour Arm.
- 3.6.6 The NPPF highlights the need to direct development away from areas at highest risk of flooding (thereby avoiding the risk in the first instance), but where development is necessary, ensuring it will be safe without increasing the risk of flooding elsewhere.
- 3.6.7 Refer to policies in Part 3 of this plan which identify the site-specific flood defence and mitigation measures required within the character areas. Development in the Western Harbour Arm in particular will be required to deliver significant flood risk mitigation infrastructure.

Policy SH6: Flood risk and sustainable drainage

- 1. Development proposals in the regeneration area must comply with the principles and approach to flood risk management set out in the Shoreham Harbour Flood Risk Management Guide (2015), or subsequent updated guidance. Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.
- **Prior consent of the Environment Agency** 2. is required for any works within 16m of the tidal River Adur. All proposed flood defences, flood defence upgrades, slipways, pontoons and floodgates will require prior approval of the Environment Agency, either through the Environment **Agency Permit or as part of the Marine Management Organisation license. New** development will need to be setback from the river's edge where flood defence maintenance is required. Set back distance should be discussed and agreed with the relevant authority including the **Environment Agency. Maintenance** arrangements for flood defences should be agreed with the Environment Agency and the local authorities prior to construction.

- 3. Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.
- Residential development proposals must protect against a breach scenario through the application of an appropriate finished floor level of 5.77m AOD.
- 5. Non-residential development proposals must be designed to be safe for the proposed lifetime of the development, assumed to be at least a 60 year period from the date of receiving planning permission, unless otherwise agreed with the Local Planning Authority.
- 6. Where undefended land levels are below the 1 in 200 year tidal flood event for 2115, land raising and/or flood defences should be provided to 5.4m AOD. For sites where existing defences / land levels do not meet the heights outlined above, developers will be required to deliver flood defences or land raising to this height to meet the required standard of protection.

- Where sheet piling is being proposed, a 7. piling risk assessment must be carried out to demonstrate that any proposed piling will not result in contamination of groundwater or migration of contamination off-site. Wherever possible piling should be non-percussive vibro or push piling to minimise impacts to migratory fish. Use of percussive methods should be restricted to times when ecological impact is minimal. Displacement piling methods are generally preferred on contaminated sites as they produce no spoil so that contamination is not exported to the surface.
- 8. Where proposals seek to retain existing wharf walls as part of the flood defence infrastructure, an extensive structural survey will be required to ensure the development will be safe for its lifetime.
- Where pontoons and mooring opportunities are provided as part of delivery of new flood defences, the following requirements apply.
- 10. Pontoons should be designed to be freestanding structures.
- 11. Where boats are to be moored directly onto piling, a structural survey is required to consider whether defences could take the loading over their expected lifetime.

- 12. Where loss of habitat occurs due to construction of moorings or pontoons or from boats resting on intertidal habitat, creation of new compensatory habitat will be required
- 13. Proposals should demonstrate how the risks of surface water runoff and water pollution have been reduced including through the introduction of sustainable drainage systems (SuDS) and water capture/recycling technology. SuDS must also be applied to hard landscaping (including paving and road carriageways).
- 14. New developments must incorporate open space, appropriate planting, green roofs and/or green walls (suitable for coastal growing conditions) to reduce levels of surface water runoff and consequent risk of flooding.
- 15. Proposals which seek to provide basement parking in tidal/fluvial flood zones will only be acceptable where adequate mitigation and emergency planning are included as part of the planning application.
- 16. Proposals must include an emergency strategy to ensure the safety of residents at times of flooding.

3.7 Objective 7: Natural environment, biodiversity and green infrastructure

To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network

To conserve and protect the area's important environmental assets, wildlife habitats and ecosystem services and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.

To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including new green spaces and biodiverse green roofs and walls.

- 3.7.1 The regeneration area falls within the Brighton & Hove Downs Biosphere. As such the JAAP aims to contribute towards meeting its three objectives of:
 - Nature conservation
 - Sustainable socio-economic development
 - Knowledge, learning and awareness
- 3.7.2 New development within the harbour is expected to be outstanding from an environmental perspective and all opportunities to promote biodiversity need to be considered. It is possible to significantly reduce negative impacts of development on the ecology of an area through mitigation measures. Any potential wildlife habitats that will be lost or negatively impacted as a result of development will need to be compensated for and enhanced wherever possible.
- 3.7.3 The Shoreham Harbour Ecology and Green Infrastructure Study (2015) identifies the potential impacts of development proposed within this plan. It also updates previous ecological surveys and proposes green infrastructure improvements.

Designated sites and biodiversity

- 3.7.4 In accordance with the NPPF and with Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services, it is essential that any development in the harbour takes into account the sensitivities of the local environment and protects and enhances it wherever possible.
- 3.7.5 Located just outside the regeneration boundary to the west, is the Adur Estuary, a Site of Special Scientific Interest (SSSI) of particular ecological significance for its inter-tidal mudflats. It also contains one of the few saltmarsh habitats in West Sussex.
- 3.7.6 The Adur Estuary is an important habitat for a range of species, including estuarine plants and wading birds (particularly redshank, dunlin and ringed plover). The ringed plover population regularly exceeds 1% of the total British population, making the SSSI of national importance for this species.

- 3.7.7 The entire regeneration area is within the Impact Risk Zone (IRZ) for the Adur Estuary SSSI. An IRZ provides an initial assessment of potential risks to an SSSI posed by development proposals. Allocation Western Harbour Arm Waterfront is most likely to impact the SSSI. Consultation with Natural England is expected for these sites.
- 3.7.8 The eastern end of Shoreham Beach Site of Nature Conservation Importance (SNCI) falls within Character Area 6: Harbour Mouth. A large part of the SNCI is also designated as a Local Nature Reserve (LNR) whose boundary is adjacent to the regeneration area. The site's main interest is coastal vegetated shingle, an internationally rare and threatened habitat. It also provides a high tide roosting area for wading birds that have fed on the mudflats within the Adur Estuary.
- 3.7.9 Basin Road South SNCI is located at the eastern end of the regeneration area, adjacent to Allocation Aldrington Basin. This site is also designated for coastal vegetated shingle. The Shoreham Harbour Vegetated Shingle Assessment (2015) found that the site is predominantly made up of imported material and has undergone periods of disturbance.

- 3.7.10 The Basin Road South SNCI is 1.1ha in size. The assessment found the extent of vegetated shingle to be 0.43ha (39%) concentrated along the northern and southern fringes. The status of this site will be reviewed through the *Brighton & Hove City Plan Part Two*. The partnership is working to identify opportunities for coastal vegetated shingle habitat creation at Portslade and Southwick Beaches.
- 3.7.11 The Shoreham Harbour area as a whole is of regional importance for passage bird species and is of county importance for wintering birds as a result of the sheltered nature of the site. The area is also of local importance for breeding birds. It will be important to consider the impacts of increased recreational activities as a result of new development at the harbour on these sensitive areas.
- 3.7.12 A Reptile Survey (2009) has indicated the presence of an exceptional population of common lizards and a good population of slow worms on the North Canal Bank on the harbour's Eastern Arm, south of the A259. A Great Crested Newt Pond Survey (2009) concluded that due to a general lack of ponds and standing water bodies within the area, there is a negligible risk of impacts on this protected species as a result of the proposals.

Green infrastructure and wildlife corridors

- important green corridors in and around the harbour area including the nationally important routes of the South Downs Way and the Monarchs Way long distance footpath. As highlighted in both the recent Adur District Council and Brighton & Hove City Council open space strategies; the beaches, foreshore and wider seafront area act as a blue/green corridor supporting a broad diversity of species. Other local links include:
 - National Cycle Route 2 along the coast links Shoreham with Worthing to the west and Brighton to the east. Between Shoreham-by-Sea town centre and the Canal lock gates at Southwick this route is diverted inland to avoid the busy A259. It is anticipated that the proposed pedestrian/cycle route along the waterfront at the Western Harbour Arm, and a designated A259 cycle route could create a more direct route.

- By 2020, Natural England expects to deliver the England Coast Path, a new National Trail around England's entire coast. The Partnership is working with Natural England to progress this project. It is anticipated that the new and improved routes at the Western Harbour Arm, Canal lock gates and Portslade and Southwick Beaches will ultimately form part of this route.
- Regional cycle route 79 (12) following the Adur River valley connects Horsham to the south coast at Shoreham.
- Within Brighton & Hove, there are three north-south corridors providing important wildlife links and some public access between the harbour and the South Downs:
 - Southwick Hill down to
 Fishersgate public access
 throughout although very narrow
 in parts of the urban area
 - Foredown Hill to Vale Park in South Portslade – series of green spaces with intermittent public access
 - Benfield Valley linking the downs to Old Shoreham Road with consistent public access

- 3.7.14 The Shoreham Harbour Ecology and Green Infrastructure Study (2015) makes a number of proposals to enhance the green infrastructure and biodiversity of the harbour and surrounding areas. These include:
 - The preparation of a green infrastructure strategy for the regeneration area and links to surrounding areas.
 - A259 green corridor. The study identifies fourteen green spaces located along the A259. These act as a series of 'stepping stones' for wildlife. These sites include designated spaces such as Kingston Beach village green, but also the embankments between the A259 and the port, and the grassed amenity spaces around the Adur Homes estates at Southwick and Fishersgate. The Partnership is working with Adur Homes, Action Eastbrook and local communities to deliver improvements to these sites. Specific proposals are included within each character area policy in Section 4 of this plan. Further detail will be included in the Shoreham Harbour Green Infrastructure Strategy.
- Portslade and Southwick Beaches green corridor. The Shoreham Harbour Vegetated Shingle
 Assessment identified significant potential for coastal vegetated shingle habitat creation along these beaches. Habitat creation could be delivered as part of improvements to coastal defences and through the delivery of the England Coast Path and improved cycle route along the beaches.
- Linear intertidal habitat creation. The study identifies opportunities to deliver habitats as part of new flood defences along the waterfront. This includes timber baulking and 'vertical beaches' attached to sheet piling.
- Green roofs and walls. These could compensate for the loss of open mosaic habitats at ground level on vacant or unused sites. These should be appropriately planted for the coastal location, including vegetated shingle.

- 3.7.15 New development at the harbour should act as a catalyst to enhance green corridors and linkages, particularly where higher density developments result in limited opportunities to provide open space on site.
- 3.7.16 The national cycle network provides a valuable basis from which to extend greenways in this location to better connect Shoreham to urban areas such as Hove, Lancing and Worthing.

 Proposals for improving this route are set out within the Shoreham Harbour Transport Strategy.

- 3.7.17 Other recommendations from green infrastructure assessments in relation to biodiversity include:
 - Enhance and create new open spaces and habitats at locations such as Shoreham Fort and Shoreham (Kingston Buci) Lighthouse with improved access linkages for visitors.
 - Consider and improve wildlife corridors wherever a new green corridor is developed or enhanced as part of the new development.
 - The role of parks, allotments, school playing fields, private residential gardens and cemeteries in providing valuable green corridors and wildlife habitats should be recognised in this area.
 - Protect the species rich grasslands beside the harbour and integrated grassland into new areas of waterfront open space where possible
 - Building designs should incorporate green roofs and areas of planting wherever possible.
 - Existing open spaces and parks would benefit from more wildlife planting and a varied mowing regime.

Water quality

- 3.7.18 The overall groundwater quality of the Brighton Chalk Aquifer is currently classified as "poor" in the Water Framework Directive (WFD) Cycle 2 2015 classification. The quantitative and chemical quality are both classified as "poor". The overall water quality of the Adur Estuary is classified as "moderate". The ecological quality is classified as "good" whilst the chemical quality is classified as "fail".
- 3.7.19 The Water Framework Directive required all bodies of water (including surface water, coastal waters and groundwater) to achieve "good" status by 2021 and to be prevented from deteriorating in quality. It will be important for development proposals to undertake the necessary risk assessments to demonstrate Water Framework Directive compliance. Applicants are advised to refer to the Clearing Waters for All guidance.
- 3.7.20 The Environment Agency monitors the quality of bathing water at Southwick Beach. Since 2013 water at this location has achieved "excellent" status. This means that the bathing water meets the standard for the highest, cleanest class for the revised Bathing Water Directive, which has stricter standards than those for the old Directive.

Air Quality

- 3.7.21 Road vehicles are the greatest contributing factor to poor air quality in Adur and Brighton & Hove, with vehicles emitting a variety of pollutants including carbon monoxide, nitrogen oxides, volatile organic compounds and particulate matters.
- 3.7.22 There are two Air Quality Management Areas (AQMAs) that lie partly within the regeneration area. Brighton AQMA includes Kingsway / Wellington Road (A259) Church Road (A293), Boundary Road / Station Road (B2194) and parts of South Portslade to the south of North Street. Shoreham AQMA runs along Shoreham High Street (A259) from Norfolk Bridge to Surry Street.
- 3.7.23 There is also an AQMA in Southwick on the A270 between Kingston Lane and Southview Close. This is outside the regeneration area, but may be impacted by journeys arising from new development.
- 3.7.24 Air Quality Action Plans (AQAPs) will continue to play a key role in helping to manage issues of localised air pollution.

Noise

- 3.7.25 Noise can be a significant issue in built-up urban areas, and can act as both a disturbance and a threat to human health. DEFRA has undertaken a comprehensive noise mapping study, the results of which indicate that there are parts of the regeneration area where road traffic noise exceeds World Health Organisation guidelines.
- 3.7.26 The main generator of background noise in the Regeneration area is road traffic. The A259, A293 and B2194 have high levels of noise pollution related to traffic movements with noise levels decreasing with distance from these roads.
- 3.7.27 Rail-related noise is also an issue in some parts of the regeneration area with levels decreasing with distance from the railway line. Some of the industrial and port-related land uses in the regeneration area also generate high levels of noise.

Contamination

- 3.7.28 The nature of current and historic industrial activities at Shoreham Harbour raises significant potential for contamination to be present, which could adversely impact site users, buildings and the environment, including surface and groundwater quality. Pollution to controlled waters may result in contravention of objectives set out within the Water Framework Directive (WFD).
- 3.7.29 Former land uses have included Portslade Gas Works, oil storage, and coal and timber yards. Current uses also include coal and timber yards, as well as a power station, aggregate sorting and storage sites, garages, oil and petrol storage areas, a waste water treatment facility and other waste uses.

 Consequently, significant risks of pollutant linkages have been found in the area.
- 3.7.30 In accordance with NPPF paragraph 121, it will be important for development proposals to undertake the necessary risk assessment in line with best practice approaches. All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with most recent guidance.

3.7.31 Current guidance includes:

- BS 10175:2011+A1:2013 Code of practice for the investigation of potentially contaminated sites.
- BS ISO 5667-22:2010 Water quality sampling guidance on the design and installation of groundwater monitoring points.
- BS ISO 5667-18:2001, BS 6068-6.18:2001 Water quality sampling guidance on sampling of groundwater at contaminated sites
- 3.7.32 In order to ensure appropriate consideration of land contamination, the following reports/documents should be reviewed prior to the submission of a planning application:
 - The risk management framework provided in CLR11, Model procedures for the management of land contamination
 - The Environment Agency guiding principles for land contamination and the land contamination sections in the Environment Agency's Groundwater Protection: Principles and Practice

Waste and recycling

- 3.7.33 In keeping with the objectives of the Biosphere Management Strategy (2014-2019). It is important that the JAAP supports the shift towards sustainable management of waste and seeks to ensure waste is fully considered during design, construction, post-construction and demolition phases of new development.
- 3.7.34 Brighton & Hove City Council, East
 Sussex County Council and the South
 Downs National Park Authority, have
 adopted a Waste and Minerals Plan
 (2013) that provides planning policies to
 guide the management of waste and
 production of minerals over the plan
 period to 2026. In addition, the East
 Sussex, South Downs and Brighton &
 Hove Waste and Minerals Sites Plan
 identifies areas of safeguarding for
 current and future waste management
 capacity. This includes areas at
 Shoreham Port.
- 3.7.35 West Sussex County Council and the South Downs National Park Authority have adopted a West Sussex Waste Local Plan (2014). The Waste Local Plan covers the period to 2032 and provides a basis for making consistent land-use decisions for waste management facilities.

Policy SH7: Natural environment, biodiversity and green infrastructure

- The partnership will prepare a green infrastructure strategy and identify mechanisms for its implementation for the regeneration area and its surroundings.
- 2. The partnership will work with stakeholders, developers, landowners and communities to deliver an improved green infrastructure network including:
 - A259 green corridor improving and connecting improvement sites alongside the road, including embankments and grassed amenity space
 - Portslade and Southwick Beaches including coastal vegetate shingle habitat creation
 - Intertidal habitat creation, including baulking and vertical beaches as part of flood defence works.
 - Green walls and roofs, and appropriate street planting.
- 3. The partnership will promote and require the creation and enhancement of open space and green infrastructure in accordance with the emerging Shoreham Harbour Green Infrastructure Strategy and Brighton and Lewes Downs Biosphere objectives.

- 4. All development must ensure no net loss, and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). The indirect impacts of development, such as recreational disturbance, on designated nature conservation sites and other significant habitats must be considered. Appropriate mitigation must be identified, along with the means for its delivery and maintenance.
- The Shoreham Harbour Streetscape Guide (2012) states that all vegetation must be salt tolerant and suitable for a coastal environment. Trees must be securely staked, hardy and able to withstand strong winds
- to include schemes to conserve, protect and enhance existing biodiversity and to create appropriate habitats, taking into account appropriate, coastal protected sites and species. Measures to enhance biodiversity include, but are not limited to:
 - Incorporating green walls and roofs and appropriate planting schemes for the location, using locally native species wherever possible.

- Providing bird-nesting and bat-roosting boxes.
- Providing areas of vegetated shingle.
- Using SuDS to create wetland habitat features, which help store and clean surface water.
- Creating, restoring or enhancing offsite habitats, in particular through contributions to management and monitoring plans for, local conservation sites such as Shoreham Beach and Widewater Lagoon Local Nature Reserves.
- Where appropriate, development will be required to incorporate ecological enhancements to the marine/estuarine/ riverine environment in order to promote biodiversity.
- 7. Where impacts on biodiversity cannot be avoided or mitigated, compensatory measures will be required, taking account of an up-to-date ecological survey.
- 8. Development will be required to integrate new green infrastructure, including biodiverse green roof (bio-solar where appropriate), green walls and suitable planting, and to contribute to enhancements to the green corridor.

Water quality

- 9. All development must comply with the Water Framework Directive. Development must protect surface and groundwater quality. Only clean surface water should be discharged into the River Adur, the Canal and groundwater. Pollution control measures will be required to deal with surface water run-off where this is discharging straight into the River Adur or the Canal, especially where waterside vehicular access is promoted.
- 10. All marina developments must consider the installation of pump out facilities to reduce the risk to water quality from recreational boating. The size of the pump out facility should be appropriate to that of the development and agreed by the local authority prior to construction.
- 11. Development should seek to provide ecological enhancements through the use of sustainable drainage systems (SuDS).
- 12. All development must consider implications upon the sewerage and water supply network and ensure that capacity is adequate. New development must connect to the sewerage and/or water supply system at the nearest point of adequate capacity in collaboration with the service provider.

Air quality

- 13. Air quality impacts should be considered at an early stage in the design process to ensure that creating new exposure to poor air quality is avoided.
- 14. Development within or adjacent to an Air Quality Management Area (AQMA), or that is likely to have an impact on an AQMA, will be required to provide a contribution towards implementing Air Quality Action Plan objectives, such as sustainable transport improvements.
- 15. Proposals will be required to demonstrate that appropriate mitigation measures are introduced to ensure that new and existing residents are not exposed to poor air quality.

Noise

- 16. Development proposals should adhere to the following basic principles of noise control Noise sources should be separated from sensitive receptors. Then noise should be controlled at source. Finally, the sensitive receptor should be protected.
- 17. Particular consideration will be required in relation to noise generated by transport and arising from adjacent industrial, trade and business premises, construction sites, activities in the street and on-going port and marine-related activities.

Contamination

18. Applications for development within a 10 metre radius of potentially contaminated sites will be required to submit a desk study, conceptual model, site investigation and risk assessment.

Waste and recycling

- 19. All development proposals will be required to incorporate facilities that enable and encourage high rates of recycling and re-use of waste and materials.
- 20. All new development will be required to demonstrate that waste is minimised both during the construction phase and the lifetime of the building.
- 21. Development proposals shall be accompanied by a Site Waste Management Plan.

3.8 Objective 8: Recreation and leisure

To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.

To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both locals and visitors.

Beaches and water sports

- 3.8.1 The public beaches play a significant role in the provision of amenity space in the harbour for residents and visitors. They provide recreational and leisure opportunities as well as providing landscape, environmental and biodiversity benefits.
- 3.8.2 Some of the beaches, such as Southwick Beach, Shoreham Beach and, to a lesser extent, Kingston Beach are well used for traditional seaside activities (walking, swimming, sunbathing and fishing). The Shoreham Beach area is well used by windsurfers and kite surfers. Paddle boarding is becoming an increasingly popular sport for coastal areas.
- 3.8.3 When weather conditions are right, the harbour is well used as a surfing destination. Recreational surfing takes place throughout the harbour area, including Southwick Beach and within the harbour arms. Facilities for these users and other coastal sport users do not exist, but could include:
 - outdoor/indoor showers,
 - bathrooms, and changing rooms.

Sailing and facilities for boat-users

- 3.8.4 The harbour is home to a number of sailing facilities including:
 - Lady Bee Marina (Southwick Waterfront)
 - Riverside Yard (Southwick Waterfront)
 - Sussex Yacht Club (Western Harbour Arm / Southwick Waterfront)
 - Shoreham Sailing Club (Harbour Mouth)
 - Shoreham Rowing Club (Harbour Mouth)
- 3.8.5 All five areas have a strong leisure and recreation function with the first three providing berthing opportunities for larger vessels. These three currently have capacity for around 120 pontoon berths although access is a constraint to further pontoon capacity. Shoreham Port Authority is seeking to increase berthing capacity at Lady Bee Marina.
- 3.8.6 Whilst there is good provision of uses in and around the regeneration area, access is constrained in some places, and some facilities are in poor condition in need of replacement, improvement or re-provision.

Slipways and Hards

- 3.8.7 There are a number of historic slipways and hards in the Shoreham area. These were formerly used to launch and land boats onto and from the water.

 However most of these are now unable to function effectively for various reasons such as having been in-filled, being too steep, being dilapidated or being inaccessible and lacking sufficient parking and turning areas for trailers.
- 3.8.8 West Sussex County Council, working in partnership with Adur District Council and the Shoreham Slipways Group, are working towards providing new and improved public slipways for the Shoreham area. These new facilities will help support the local economy through enabling visiting anglers, divers and day boat users to access the harbour. The enhanced access to the water will help to restore Shoreham's maritime heritage.
- 3.8.9 A key planning consideration for locating a new public slipway is the need for sufficient appropriately laid out parking and turning areas for vehicles and trailers to manoeuvre.

Pedestrian Routes

3.8.10

- Strategic routes for rural walkers are concentrated in the South Downs and stop at the outskirts of built up areas. Currently these do not connect well into the town centres and to the sea. Walking routes in the urban areas of the regeneration area are not well designed and signage is poor. The Adur Ferry Bridge has significantly improved the quality of the pedestrian environment in that area.
- 3.8.11 The pedestrian network running east to west along the majority of the regeneration area north of the coast / waterfront is limited to the path that runs along the A259 and as such currently offers a very poor experience for cyclists and pedestrians.

Cycle Paths

3.8.12

3.8.13

- National cycle route NCN2 runs through the harbour from Hove Lagoon, along the southern section of the canal (the South Quayside area) across the canal locks, then runs inland to re-emerge in Shoreham-by-Sea. It then crosses over Adur Ferry Bridge and continues on to the seafront to the west. This route links Brighton in the east and Worthing in the west and is part of a long distance cycle route from Dover to Penzance.
- The section from Hove Lagoon to Brighton in the east and Shoreham Beach to Worthing in the West is almost entirely 'traffic-free' with dedicated cycle paths. The section in between that runs through the harbour area is classified as 'on-road', with no dedicated cycle facilities. This route is well used by cyclists for leisure and recreation. It is also a popular commuting route for cyclists, although a high number of commuters use the A259 from the lock gates in Southwick as this is the quickest and most direct route.

3.8.14

In addition, the harbour area has good cycling links to the South Downs in the north. The Downs Link Bridleway that runs along the river Adur from Ropetackle to the South Downs is a key cycling and pedestrian link which connects Shoreham with the South Downs and which continues up to the North Downs in Surrey. However, signage to this route from the town centre is poor. Other routes to the South Downs from the regeneration area are also poorly signposted.

Open Space

- 3.8.15 Provision of new and enhanced areas of open space will be essential to creating a pleasant harbour side environment.

 Multi-functional open spaces provide a range of health benefits and can create pleasant new spaces for people to sit, relax and interact helping to build a sense of community and identity for the harbour.
- 3.8.16 The NPPF requires that planning policies should be based on robust, up-to-date assessments of local needs for open space, sports and recreation facilities and opportunities for new provision.
- 3.8.17 The Adur District Open Spaces Study was updated in 2014 which has provided open space provision standards for the district.
- 3.8.18 For Brighton & Hove, open space standards are set out within the Open Space Update Study (2011).

Policy SH8: Recreation and leisure

- Development proposals will be required to provide high quality multifunctional public open space / green infrastructure on site. The type and quantity of open space will be determined by the scale and type of development, the identified needs of the area local standards and the Shoreham Harbour Green Infrastructure Strategy.
- 2. Brighton & Hove City Council and Adur District Council will work with developers to explore the role, function and more detailed design of green spaces as they come forward. These areas could help to meet local need for a range of open spaces including parks and gardens, amenity green space, provision for children and young people, outdoor sports facilities, allotments and community gardens.

- Improved linkages to existing open space assets and green corridors will be encouraged.
- 4. In accordance with local plan policies, the loss of existing open space will be resisted unless it has become surplus to requirements or would be replaced with equivalent or improved provision in a suitable location. In the case of any loss of open space, mitigation measures include, but are not limited to:
 - Better access to remaining open space.
 - Provision of an alternative site.
 - Significant enhancements to remaining open space including features to improve open access to the waterfront.
- 5. The provision of appropriate measures to enhance watersports and other traditional coastal activities will be supported.
- 6. Major waterfront development schemes, are expected to incorporate features that improve open access to the waterfront. These may include facilities for boat users, additional moorings, floating pontoons/docks, slipways and inlets. Early consultation with Shoreham Port Authority and statutory bodies such as the Environment Agency and Marine Management Organisation is advised.

- 7. Development schemes that result in the loss of an existing slipway or hard and that fail to incorporate a new useable slipway (with sufficient parking/turning space) on-site may be expected to contribute towards re-provision of the facility off-site.
- 8. Where a new/improved slipways or hards are provided or reinstated it will be necessary to consult with the relevant highway authority to ensure appropriate public highway status is recorded including rights of motor vehicle use.
- 9. Where additional moorings are provided consideration must be given to the management of additional waste and sewage arising. Appropriate services, such as toilets and pump out facilities, should be provided where appropriate.
- 10. The partnership will work with Natural England to support the delivery of the England Coast path through the Shoreham Harbour Regeneration Area.

3.9 Objective 9: Place making and design quality

To promote high design quality and improve townscape

To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces.

To protect and enhance the area's historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.

- a.9.1 High quality urban design is an integral element of successful developments. Good design encompasses architectural design, form, height, scale, siting, layout, density, orientation, materials, parking and open space. Major development proposals may be subject to design review process at the preapplication and application stages in order to ensure the highest quality of design.
- 3.9.2 New developments should be well-designed and integrated into the landscape and townscape, and should contribute positively to the harbour's character and distinctiveness. Existing poor-quality design should not set a precedent.
- 3.9.3 Improvements to the public realm (streets and public spaces) provide an opportunity to enhance the quality, character and distinctiveness of the harbour. Good use of 'natural surveillance', natural and artificial light and careful siting of buildings and street furniture can improve the layout of an area, reduce perceived and actual crime and opportunities for anti-social behaviour, and make an area more pleasant to use.

- 3.9.4 Lighting is an important element of design quality; whilst necessary for safety reasons it can also add character and highlight elements of architectural quality. However, it is also important to ensure that light shines on its 'target' and does not waste energy or contribute to 'sky glow'.
- 3.9.5 Shoreham Harbour benefits from a number of historic assets which are proposed to be protected and enhanced to contribute towards maintaining the cultural history of the area and visual interest within the landscape and local views. The harbour area includes:
 - Parts of the Shoreham-by-Sea Conservation Area
 - The Riverside section of the Southwick Conservation Area.
 - Three Grade II Listed Buildings
 - Royal Sussex Yacht Club
 - Sussex Arms Public House
 - Kingston Buci Lighthouse
 - Shoreham Fort (Scheduled Monument).

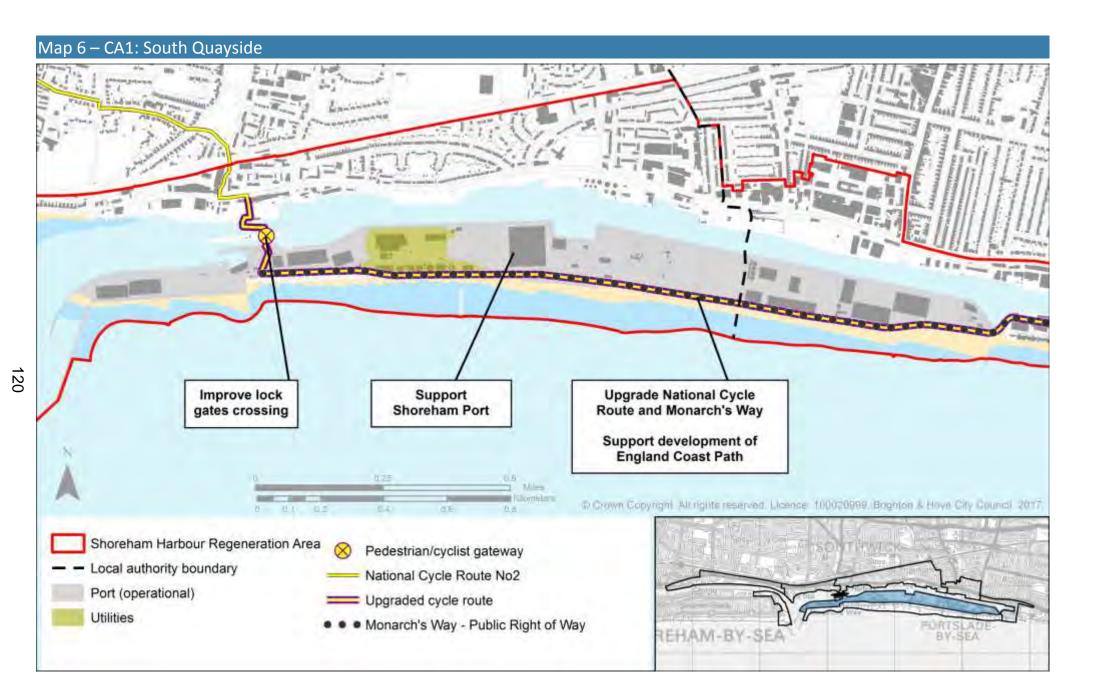
Policy SH9: Place making and design quality

- Schemes should be designed to reflect the character of the marine environment and should be sensitive to views of the waterfront, surrounding landscape and historic features.
- 2. Waterfront development schemes are encouraged to incorporate features that improve public access, views and experience of the marine environment. This may be externally in the form of landscaped viewing areas and/or internally as an integral part of building design.
- 3. Development proposals should improve the quality, accessibility, security and legibility of public streets and spaces. The public realm elements of the development proposals must be designed in accordance with the Shoreham Harbour Streetscape Guide (2012).
- 4. Where appropriate contribution will be sought for the provision of public art, in accordance with the scale of development proposed.

- 5. All development proposals will be expected to embrace principles of good urban design with reference to the following characteristics:
 - High standards of architectural design and detailing.
 - Suitable scale and massing in relation to housing type and local context, including townscape character and historic environment.
 - Appropriate internal and external space standards in accordance with each authority's policy requirements.
 - Buildings should provide strong enclosure to public spaces and streets, and should maintain a clear distinction between public, semiprivate and private space.
 - High standards of private amenity space for all residential development, including private balconies, terraces, gardens and shared courtyards as appropriate.
 - Careful consideration of the impact of new development on access to daylight and sunlight for both existing and new residents.







4 Character area proposals

4.1 Character Area 1: South Quayside

Area priorities

- To support Shoreham Port Authority in improving operational efficiency, developing new trade and exploring opportunities for sustainable energy generation, in line with the adopted Port Masterplan.
- To accommodate the relocation of existing port operators from elsewhere within the port.
- To accommodate the future capacity requirements for Shoreham Wastewater Treatment Works.
- To improve Basin Road South as a popular recreational route for walking and cycling, providing access to the beaches.
- With the exception of the existing and planned power stations, and the wastewater treatment works, non-port related operations will not be permitted in this area.

About the area

- 4.1.1 CA1 South Quayside is the main operational area of Shoreham Port. It is a long, narrow area between Basin Road South and the waterfront. The area stretches from the mouth of the harbour along the southern side of the Eastern Arm of the River Adur, and the Canal as far as the eastern ship turning head.
- 4.1.2 The full length of South Quayside is 2,370 metres. Within the Canal, there are 11 berths totalling 1,575 metres in length. In the Eastern Arm of the River Adur, the Outer Layby terminal extends further with two berths of 257 metres. There is a significant concentration of port trades and quayside activity.
- 4.1.3 In the quayside area, cargo handling and ship unloading are carried out using mobile cranes and lift trucks. Plant installations used by operators include a major aggregates grading and handling plant, a ready-mix concrete plant and gantry cranes at a steel stockyard.

- 4.1.4 Visiting fishing trawlers and other vessels often moor up alongside the power station. There are a number of security gate entry points to the port area, and the area north of Basin Road South is a secure area with no public access.
- 4.1.5 The regeneration strategy for the harbour is dependent on consolidating port-related activities within the Eastern Arm and Canal. South Quayside will be safeguarded for port operational uses. As well as improving operating efficiencies for the port, it will enable waterfront land to be redeveloped for alternative uses along the Western Harbour Arm.
- 4.1.6 South Quayside is sufficiently removed from residential areas that it can accommodate activities and uses that otherwise might harm residential amenity through noise and disturbance. Major facilities likely to remain for the timespan of the plan period include Shoreham Power Station and Shoreham Wastewater Treatment Works.



Wind turbines at Outer Layby



Solar panels on warehouse roofs

Utilities

4.1.8

- 4.1.7 Shoreham Power Station is a combined cycle gas turbine station. Its capacity is 420MW. The power station is owned and operated by Scottish Power. Cooling water discharges to an outflow at Southwick Beach.
 - Energy studies and consultation with local environmental groups have highlighted the potential of using the waste heat from the plant to supply local customers. The physical separation of the power station from potential customers, such as residential areas on the north side of the harbour, would require significant investment in directional drilling to feed pipes under the Canal.
- 4.1.9 Without adaption, the current configuration of the station does not enable provision of heat at a sufficient grade that could be utilised in a district network. Furthermore, a back-up power source would be required as the station is not in continuous use.

- 4.1.10 In 2016 Shoreham Port Authority installed two 100 kW wind turbines on Basin Road South. The turbines will generate, on average, 555,000 kWh electricity per year to power the nearby port pump house. The Port Masterplan proposes additional turbines further east, as shown on Map 6.
- 4.1.11 Shoreham Port Authority has worked in partnership with Brighton Energy Cooperative to install solar panels on many of the port buildings.
- 4.1.12 At present, Shoreham Wastewater
 Treatment Works (owned by Southern
 Water) has sufficient capacity to
 accommodate the levels of new
 development being proposed through
 this plan and the local plans for Adur and
 Brighton & Hove.

Transport and connections

- 4.1.13 Heavy goods vehicles serving the port, as well as the public, access this area via the main port entrance at the junction of Wharf Road and Kingsway (A259). Basin Road South runs the length of the southern side of the port along the seafront to Carat's Café and the adjacent public car park.
- 4.1.14 To the western end of the quayside and forming the crossing over to the north side of the harbour, the area around the lock gates is a key functional part of the port. Shoreham Port Authority has reclaimed a small area of land here by the pump house to accommodate a engineering function.
- 4.1.15 As outlined in Character Area 4, the lock gate crossing is a public right of way and part of the National Cycle Route (NCN2). Running parallel with the cycle route along Basin Road South is the Monarch's Way which is part of a long distance national walking trail. The route is popular with locals and cyclists and has the potential to be made more of a focal point with better signage, interpretation and way-finding.

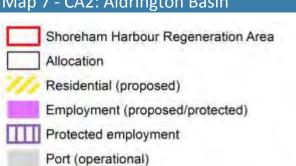
4.1.16 Proposed improvements to both Southwick Waterfront and to the beach areas are likely to increase public usage of this area and it will be important to maintain appropriate buffers between the operational port areas and public spaces.

Policy CA1: South Quayside

- South Quayside is safeguarded for future commercial port activity and for the relocation of existing port operators from elsewhere in the harbour. With the exception of the existing power stations, and waste water treatment plant, nonport operations are not permitted in this area.
- South Quayside will be promoted as a hub for renewable energy generation, including appropriately located solar and wind generation.
- Wastewater treatment infrastructure will be safeguarded to serve future population changes.
- The partnership will seek improvements to the lock gate crossing for the benefit of pedestrians and cyclists. These must not detract from its primary port operational function.
- 5. The partnership will seek Improvements to Basin Road South, National Cycle Route (NCN2) and Monarch's Way public right of way including signage, interpretation, boundaries, surfacing, way finding and access to the beaches.



Map 7 - CA2: Aldrington Basin



Green corridor

Priority corridor (transport/public realm)

New/upgraded port access road (proposed)

Monarchs Way - Public Right of Way

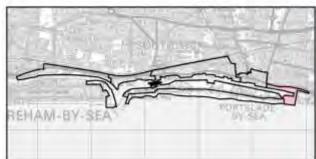
National Cycle Route No2

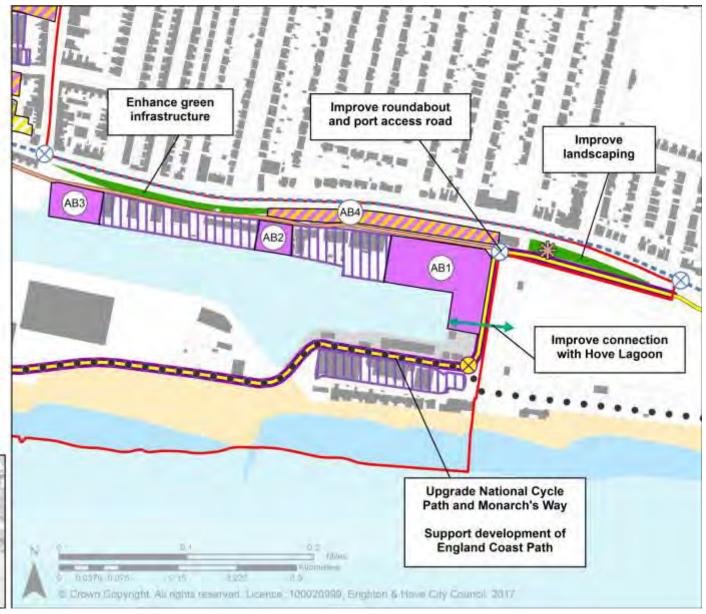
Upgraded cycle route

Pedestrian/cyclist gateway

Junction improvements

Public art opportunity (indicative)





4.2 Character Area 2: Aldrington Basin

Area priorities

- To designate Aldrington Basin as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocations AB1 to AB4).
- To accommodate a mix of new and improved port operational facilities as well as compatible non-port employment generating floorspace (use classes B1, B2 and B8).
- To accommodate appropriately located mixed-use development (use classes A1, A2, A3, B1 and C3).
- To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm; respecting and complementing the character of surrounding areas.
- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.

- To ensure that all development takes into account the findings and recommendations of current Strategic Flood Risk Assessment and the Shoreham Harbour Flood Risk Management Guide SPD (2015) or subsequent update.
- To ensure that new development proposals take account of noise and air quality impacts and that improvements are sought wherever possible.
- To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.
- To support the delivery of the England Coast Path through the Aldrington Basin area.

About the area

- 4.2.1 CA2 Aldrington Basin forms the eastern gateway to the harbour with the main port entrance at the junction of Wharf Road and Kingsway (A259). The basin is situated immediately adjacent to Hove Lagoon. It marks the end of the Hove seafront promenade and a transition to the industrial character of Shoreham Harbour.
- 4.2.2 The northern part of the area is formed of a steep slope from Basin Road North, up to Kingsway (A259). Overlooking the basin, to the north of Kingsway, is the West Hove residential area comprised of mostly two storey housing built in the 1920s and 1930s.
- 4.2.3 Since the mid-1800s, Aldrington Basin has been predominantly occupied by industrial and port-related uses. Over time, a number of physical interventions such as land reclamation, the addition of landing stages and wharves and the arrival of the Western Esplanade residential dwellings at the beginning of the twentieth century, have shaped its current character.

- 4.2.4 This area contains a mixture of employment uses ranging from offices, retail outlets, a restaurant and pub at Kingsway level through to light industrial, storage and marine-related uses down in the basin itself. Some of the sites are owned and leased by Shoreham Port Authority including Hove Enterprise Centre, Brighton & Newhaven Fish Sales, and Quayside offices. The remaining sites are in private ownership.
- 4.2.5 This area also includes Ferry Wharf, a disused minerals wharf, which is also a safeguarded waste site. If proposals for development come forward for this site then policies for re-provision of wharf capacity and waste management capacity will apply.
- 4.2.6 The steep slope down to the basin from Kingsway means the location is able to accommodate land uses and activities that may otherwise harm residential amenity due to noise, smell, dust or other disturbance. Maritime House and Hove Enterprise Centre contribute towards meeting the local demand for affordable, flexible workshop and office space and have high occupation rates.

4.2.7 A key consideration for development in the basin is that the eastern end of the Canal acts as the main turning head for ships. Remodelling of this area may be a long term opportunity. This would require significant investment.



Harbour entrance at Wharf Road



View east towards Western Esplanade

Transport and connections

- 4.2.8 Although the access route from the A259 in to the basin works relatively well, it creates a tight turning circle for commercial vehicles. The transport strategy includes junction improvements to each of the main accesses in to the port from the highway, including:
 - Wellington Road (A259) Church Road (A293) – Basin Road North
 - Kingsway/Wellington Road (A259) –
 Boundary Road/Station Road (B2194)
 Basin Road North
- 4.2.9 Shoreham Port Authority intends to upgrade and extend the route on the north side of the canal from the existing mini-roundabout linking to an improved Wellington Road (A259)-Church Road (A293) junction. This is to make the route more suitable for HGV traffic and to lead port-traffic more directly on to the advisory route.
- 4.2.10 Refer to the Shoreham Harbour Transport Strategy for details of the package of measures proposed to support the development of this allocation.

Improve Basin Road South cycle route and Monarch's Way

- Basin Road South runs parallel to South 4.2.11 Quayside provides vehicular access to the main operational port areas. It also forms part of the National Cycle Network (NCN2) which runs along Wharf Road and Basin Road South before crossing the lock gates. NCN2 will eventually connect many of the urban areas along the south coast. Despite the poor condition of this route for cycling and walking, the poor quality of the public facilities and generally dated appearance, it remains a popular route and the beaches are frequented by local families, swimmers, surfers and artists particularly during the summer months.
- 4.2.12 The road is also a public right of way which forms the end of the historic Monarch's Way route, a long distance footpath (990km) that approximates the escape route taken by King Charles II in 1651 after being defeated in the Battle of Worcester. There is considerable potential to improve the quality of this route.

Improve connections with Hove Lagoon and Hove seafront

- 4.2.13 Hove seafront promenade ends at Hove Lagoon. This area is very popular for walking, cycling and general recreation and there are a range of water-sports offered at Hove Lagoon. The Hove Deep Sea Anglers Club is adjacent.
- 4.2.14 Beyond this point is a row of secluded 1920s residential properties on Western Esplanade overlooking private beaches. This, combined with the industrial character of the harbour, acts as a barrier for wayfinding between Hove Lagoon and seafront and Portslade and Southwick beaches to the west.
- 4.2.15 The transport strategy includes proposals to improve the cycling and walking routes through this area. Where sites and groups of sites come forward, opportunities to create direct public or semi-public access to the waterfront should be explored.

- 4.2.16 New signage and improved visual and physical access from Aldrington Basin to Hove Lagoon would help to soften the boundaries of the basin and could be achieved through relatively minor interventions in formal landscape and site layout of Hove Lagoon. This connection could be achieved through the development of pathways and crossings to achieve direct, safe access.
- 4.2.17 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA2 Aldrington Basin between Portslade Beach and Hove seafront promenade.

Environment

- 4.2.18 Kingsway (A259), Wharf Road and Basin Road North fall within the Brighton & Hove Air Quality Management Area (AQMA) designated in 2013.
- 4.2.19 The area is crossed by several underground water mains and sewers (the latter conveying wastewater to the nearby waste water treatment works). This infrastructure needs to be protected and new development needs to ensure its operation remains unaffected.

Flood risk and sustainable drainage

- 4.2.20 Existing ground levels across the area vary from a minimum of 3.5m Above Ordnance Datum (AOD) to greater than 10m AOD. A large portion of the site is at a level of less than 4.5m AOD.
- 4.2.21 Due to its elevated position, sites along the A259 Kingsway are not at a significant risk of flooding. For sites between the A259 Kingsway and the coast, there is a risk of tidal flooding. The Brighton & Hove Strategic Flood Risk Assessment (JBA: 2012) identifies most of the Aldrington Basin area as Flood Zone 2 and 3a with some small areas of Flood Zone 3b for tidal flooding. The estimated maximum flood depth for this area for the 1:200 year tidal event is 0.50m, with some areas estimated to flood to a depth of just 0.20m.
- 4.2.22 The risk associated with this form of flooding increases significantly when sea level rise associated with climate change is factored in. In this scenario, maximum estimated flood depths increase to about 1.4m with increased flood velocities. Development in this location will need to take this flood risk constraint into consideration.

- 4.2.23 Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach set out in the following publications (or subsequent replacement documents):
 - Adur & Worthing Councils and/or Brighton & Hove Council's SFRAs
 - Water. People. Places: A guide for master planning sustainable drainage into developments
 - CIRIA SuDS Manual
- 4.2.24 Refer to the Shoreham Harbour Flood
 Risk Management Guide SPD (2015) for
 full details of requirements in relation to
 protection from flooding.

Green infrastructure

- 4.2.25 The embankments sloping up from Wharf Road and Basin Road North to Kingsway (A259) form part of the proposed green corridor through the regeneration area. The partnership will promote green infrastructure improvements in these areas through the emerging Shoreham Harbour Green Infrastructure Strategy. Development in this area will be expected to take these aspirations into consideration.
- 4.2.26 The Wharf Road embankment, adjacent to Hove Lagoon, is a prominent location at the main eastern gateway to the harbour. The partnership will seek landscape and ecological improvements such as planting of native hedgerows, plug planting of suitable species and the enhancement of the existing butterfly bank. Appropriate public art will also be encouraged
- 4.2.27 The Basin Road North embankment extends east from the Boundary Road/Station Road junction. The partnership will seek improvements such as planting of native hedgerows and plug planting of suitable species



Wharf Road embankment and Hove Lagoon from Kingsway



Basin Road North embankment

Development opportunities

- 4.2.28 The release of sites for redevelopment in and around the basin requires careful management given the close proximity of port operations and residential areas at Western Esplanade and to the north of Kingsway.
- 4.2.29 The partnership will work with businesses and service providers to identify their needs and overcome barriers to growth in order to improve the basin as a modern thriving local business cluster. As shown on Map 7, key proposals for this area include the following:

Strategic employment area

- 4.2.30 Employment generating uses (use classes B1, B2 and B8) will remain the predominant land use within Aldrington Basin. The partnership will work with land owners to promote the redevelopment of sites to deliver better quality, modern accommodation. Key opportunity sites are as follows:
 - North Basin Quay (Site AB1 see Map 7) is situated at the eastern end of the Canal; bounded by Basin Road North, Basin Road South and opposite Hove Lagoon.
 Redevelopment for high quality, modern employment floor space will be encouraged. In order to improve the connection between Hove Lagoon and the harbour an element of ancillary leisure, retail and food and drink uses fronting open space will be supported.
 - Aldrington Marina (Site AB2 see Map 7) is on the southern side of Basin Road North, between Maritime House and Hove Enterprise Centre. The site is currently let as storage space. Development for high quality, modern employment floor space will be encouraged.
 - Ferry Wharf (site AB3 on Map 7) is safeguarded for the import of aggregates and other minerals unless

similar wharf capacity can be reprovided on an alternative suitable site. If development proposals come forward then policies for re-provision of wharf capacity will apply. Future development at Ferry Wharf could provide modern employment floorspace that is compatible with port related uses.

- 4.2.31 The following sites are protected:
 - The Shoreham Port Authority-owned Hove Enterprise Centre and Maritime House are successful operations supplying flexible workspace and will be protected for employment generating uses throughout the plan period.
 - The other plots south of Basin Road North (site AB2) may also be appropriate for redevelopment for modern, good quality employment space. These will be protected for employment and port related uses.
 - Port operational areas will be safeguarded for commercial port operations and related uses.

Mixed-use development

- 4.2.32 New mixed-use development is promoted on plots between Basin Road North and Kingsway (site AB4 on Map 7). Proposals must demonstrate that they are compatible with existing employment uses at the basin level.
- 4.2.33 Plots between The Gather Inn to the east and Ocean Sports Board Riders to the west could be redeveloped for a mix of uses with employment floorspace (use class B1) on lower storeys fronting Basin Road North and mixed-employment (use classes A2, B1, and ancillary A1) fronting Kingsway and residential apartments (use class C3) on upper storeys.

Development form and typology

- 4.2.34 The following principles for development form are proposed:
 - For new employment floorspace at the basin level, flexible employment uses are proposed arranged as two to three storey buildings on under-used plots.
 - Mixed employment and residential uses with a dual frontage onto Kingsway (mixed commercial activities with residential accommodation on upper storeys) and Basin Road North (employment uses).
 - Buildings in the basin itself should be simple and flexible with a contemporary appearance and character in keeping with the aesthetic of the harbour.
 - New buildings should be of a modern design which complements the existing historic character.

Policy CA2: Aldrington Basin

- 1. Aldrington Basin is designated as a strategic employment/mixed use area.
- 2. The partnership will work with developers and stakeholders to deliver:
 - a. a minimum of 90 new dwellings (use class C3)
 - b. a minimum of 4,500m2 employment floorspace (use classes B1, B2 and B8)
 - c. ancillary leisure, retail and food and drink floorspace
- 3. Site allocations at Aldrington Basin (shown on Map 7) are:
 - a. AB1 North Basin Quay: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8). Between Hove Lagoon and the Canal an area of open space fronted by ancillary leisure, retail and food and drink uses will be supported in order to improve the connection between Hove Lagoon and the harbour.

- for new employment floorspace (use classes B1, B2 and B8)
- c. AB3 Ferry Wharf: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8).
- d. AB4 Kingsway/Basin Road North:
 Allocated for mixed use
 redevelopment (use classes B1 and
 B2 at Basin Road North level, use
 classes A2, B1 and ancillary A1 at
 Kingsway level, and use class C3 on
 upper storeys).
- 4. Port operational areas are safeguarded for commercial port operations and related activities.
- 5. Hove Enterprise Centre and Maritime
 House are protected for employment
 generating uses (use classes B1, B2 and
 B8). The council will support proposals for
 the upgrade and refurbishment of these
 premises. The council will resist proposals
 for change of use to other types of
 floorspace.

6. For sites AB1, AB2, AB3:

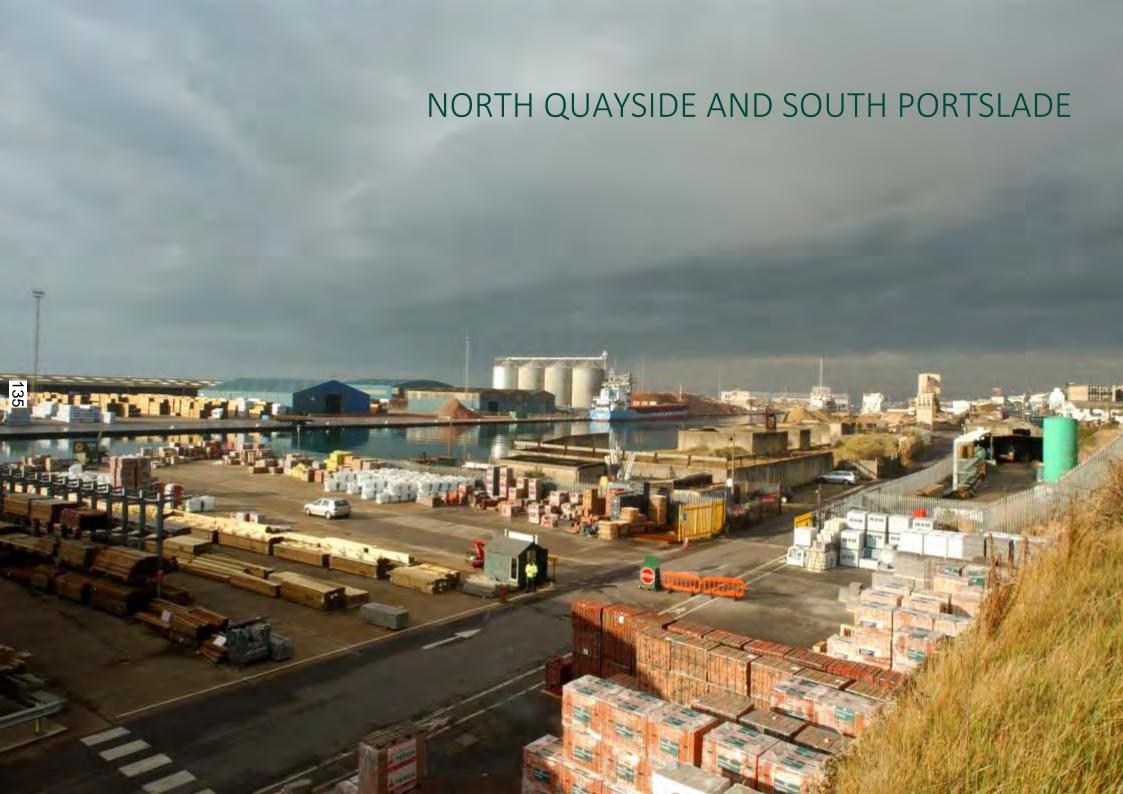
- Building heights of two to three storeys are generally considered acceptable.
- If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.

7. For site AB4:

- Building heights should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts and apply high quality design principles.
- b. Development should maintain a sense of openness and promote views through to the harbour wherever possible. The scale of development should provide a positive impact on the street environment along Kingsway.
- Development should provide an attractive character along the A259 and contribute towards the street scene.

- 8. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Kingsway (A259) Wharf Road junction and Wharf Road Basin Road North Basin Road South junction.
- 9. The partnership will work with developers and stakeholders to support and identify mechanisms for implementing ecological and landscaping improvements to embankments between Kingsway (A259) and Wharf Road/Basin Road North as part of the green corridor alongside the A259.
- 10. Where open space requirements cannot be met on site, development will be required to contribute towards existing open spaces, such as Hove Lagoon, Portslade Beach, Wish Park and/or Vale Park.

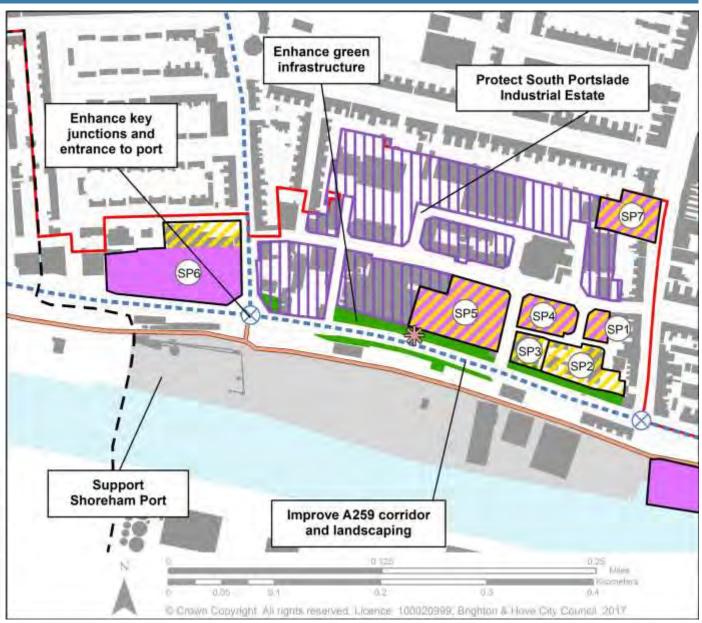
- 11. The partnership will work with developers and stakeholders to deliver the package of transport measures for Aldrington Basin as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
 - Improvements to the following junctions:
 - Wellington Road (A259) Church Road (A293) – Basin Road North
 - Kingsway/Wellington Road (A259) –
 Boundary Road/Station Road
 (B2194) Basin Road North
 - Upgrade and extension of Basin Road North.
 - The following cycling infrastructure improvements:
 - Improvements to the cycling facilities along the A259
 - Improvements to NCN2 to create a safe and continuous route along Wharf Road and Basin Road South
 - Improvements to pedestrian and cycle crossing points.
 - Improvements to bus stops.



REHAM BY-SEA

Map 8 – CA3: North Quayside and South Portslade Shoreham Harbour Regeneration Area Local authority boundary Allocation Residential (proposed) Employment (proposed/protected) Protected employment Green corridor Port (operational) Priority corridor (transport/public realm) New/upgraded port access road (proposed) Junction improvements Public art opportunity (indicative)





4.3 Character Area 3 – North Quayside and South Portslade

Area Priorities

- To designate South Portslade as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocations SP 1 to SP7).
- To accommodate a mix of new and improved employment generating floorspace (use classes B1, B2 and B8).
- To accommodate appropriately located mixed use development (B1, and C3).
- To revise the boundary of South Portslade Industrial Estate and protect for employment generating uses.
- To safeguard and develop North Quayside as a new and improved port operational area accommodating new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.
- To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm; respecting and complementing the character of surrounding areas.

- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.
- To improve connections and townscape around key linkages including Boundary Road/Station Road (B2194) district retailing centre, Church Road (A293) and along Wellington Road (A259).
- To ensure that all development takes in to account the findings and recommendations of the current Strategic Flood Risk Assessment and Flood Risk Management Guide SPD (2015).
- To ensure that new development proposals take account of noise and air quality impacts and that improvements are sought wherever possible.
- To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.

About the area

- 4.3.1 The North Quayside area of the port and South Portslade are home to a diverse mix of mostly industrial premises nestled within a residential neighbourhood. Land uses on the south-side of the A259 are predominantly port-related, industrial and aggregate uses including the safeguarded Britannia Wharf.
- 4.3.2 South Portslade Industrial Estate is defined predominantly by employment generating uses. This includes car garages, offices and product fabrication.
- 4.3.3 To the north and west of the industrial estate, the area is abutted by residential properties, in some cases on the same street (such as Church Road (A293) and St. Peter's Road).
- 4.3.4 To the east is the district retailing centre of Boundary Road/Station Road (B2194), leading to Portslade Station.
- 4.3.5 There are several community uses such as the City Coast Church and Community Centre, St Peter's School and the Brighton & Hove City Councilowned Belgrave Day Centre.

Transport and connections

- 4.3.6 Refer to the Shoreham Harbour Transport Strategy for details of the package of measures proposed to support the development of this allocation.
- 4.3.7 The southern edge of the industrial estate is defined by the stark environment of Wellington Road (A259). Although benefitting from views to the sea over the working harbour, the A259 suffers from weak frontages and buildings backing on to its northern side, poor quality public realm and a lack of frontage to the south. The townscape environment, particularly along Wellington Road is run down and unsightly which has a detrimental impact on the perception of this part of the harbour.
- 4.3.8 The industrial estate's internal road network is not well connected to its surroundings and is bound to the north and west by rows of terraced housing. There are two main north-south access roads, Boundary Road/Station Road (B2194) and Trafalgar Road/Church Road (A293). These are well used by HGVs and link the harbour to the A270 and A27.

Improving key junctions

- 4.3.9 The Wellington Road (A259) Church Road (A293) junction is particularly impacted by air quality issues, relating in particular to heavy goods vehicles. This limits the types of uses that are suitable to be situated in close proximity.
- 4.3.10 There is currently a narrow one-way port access road (Basin Road North) on to Wellington Road (A259) at the junction with Boundary Road/Station Road (B2194). Shoreham Port Authority intends to upgrade and extend this road to the junction with Church Road (A293) to form a more accessible route through the operational port.
- 4.3.11 These routes are key gateways into the harbour area and the Transport Strategy promotes improvements to both the Wellington Road (A259) Church Road (A293) Basin Road North junction as well as the Wellington Road/Kingsway (A259) Boundary Road/Station Road (B2194) Basin Road North junction.

Improving connections and streetscape

- 4.3.12 Opportunities exist to enhance the permeability of South Portslade Industrial Estate in order to repair and reconnect sites to adjacent neighbourhoods and key routes. Improvements to cycle routes and pedestrian crossings as well as improved connections with stations are proposed.
- 4.3.13 During the plan period, opportunities may exist to create new and improved north-south connections. Beyond the plan period, further opportunities may exist to unlock and extend routes (pedestrian or vehicular) such as Ellen Street and West Street.
- 4.3.14 Linkages to existing recreation and open space assets such as Hove Lagoon, Vale Park, Wish Park and Portslade and Southwick Beaches will also be promoted.

Flood risk and sustainable drainage

- 4.3.15 South Portslade is situated outside of the area that is at risk of tidal and fluvial flooding. However the Brighton & Hove Strategic Flood Risk Assessment (SFRA, 2012) identifies some parts of the area as being at risk of surface water flooding in both the 1 in 30 and 1 in 200 year events. This is particularly the case around the junction of Church Road and Wellington Road as this is a localised area of lower lying land.
- Surface water flooding can result in 4.3.16 pollution to water and development in this location will need to take this flood risk constraint into consideration. Sustainable drainage systems (SuDS) have been identified for areas to the north of the allocation. Surface water run-off and SuDS are assessed by the Lead Local Flood Authority. These improvements will benefit development in this location. Developments should therefore contribute towards improvements to limit the surface water flooding. Refer to the *Urban Sustainable* Drainage System Feasibility Study (2015, Brighton & Hove City Council) for further details.

4.3.17 Refer to the Shoreham Harbour Flood Risk Management Guide SPD (2015) or subsequent update for full details of requirements in relation to protection from flooding.

Green infrastructure

- 4.3.18 The grassed frontages on the northern side of Wellington Road (A259) and the steep embankment between Wellington Road (A259) and Basin Road North form part of the proposed green corridor through the regeneration area. The partnership will promote green infrastructure improvements in these areas through the emerging Shoreham Harbour Green Infrastructure Strategy. Development in this area will be expected to take these aspirations into consideration.
- 4.3.19 The grassed frontages to Wellington Road (A259) have the potential to provide multifunctional amenity space for adjacent development sites. The partnership will seek landscape and ecological improvements such as the creation of wildflower meadows, plug planting of suitable species, planting of native hedgerows.
- 4.3.20 Adjacent development should incorporate green walls and roofs. The sites also have potential for sustainable drainage (SuDS) features such as rain gardens or swales. Appropriate public art will also be encouraged
- 4.3.21 The Basin Road North embankment could be improved to provide a more attractive southern edge to Wellington Road (A259).

- 4.3.22 Vale Park is situated just outside the regeneration area. The partnership will seek improvements to enhance the ecology and amenity of this public open space.
- 4.3.23 The Shoreham Harbour Green
 Infrastructure Strategy will set out full
 details of requirements in relation to
 green infrastructure and biodiversity.



Wellington Road frontage



Vale Park

Development opportunities

4.3.24 North Quayside will remain safeguarded for port-related operational uses as part of the consolidation of port activities.

Allocation: South Portslade

4.3.25 Much of South Portslade Industrial Estate will be protected for employment generating uses. This protection will be extended to include sites to the west of Church Road (A293). A number of sites will be released to accommodate mixed use development including both employment generating and residential floorspace. Key proposals are shown in further detail on Map 8.

4.3.26

Although Brighton & Hove City Council owns some of the land within the estate, the majority of sites within the estate are privately owned. This may provide the opportunity for the partnership to coordinate a comprehensive redevelopment approach. Key planning considerations for the renewal of this area include impact on employment floorspace supply, impact on existing businesses and the compatibility of introducing new residential uses within the existing employment uses to the north and port operational uses to the south.

Managed release of sites for mixed-use redevelopment opportunities

- 4.3.27 Due to the proximity of a concentration of well-established predominantly industrial uses, the release of sites within the estate for redevelopment requires careful management. The core of the industrial estate will remain protected for employment uses and extended to include sites to the west of Church Road (A293)
- 4.3.28 A limited number of carefully selected plots around the periphery are promoted for redevelopment. These sites have been selected either where they are vacant and redundant from their existing use, where their location makes them peripheral to the employment area core or where redevelopment would provide wider regeneration benefits. Locations where redevelopment opportunities are promoted are as follows:

- Sites SP1, SP2, SP3 and SP4 (see Map 8) are bounded by Camden Street,
 North Street and Wellington Road
 (A259). With the exception of the
 existing shops and amenities on
 North Street and Boundary Road /
 Station Road, much of this block
 could be comprehensively
 redeveloped for a mixed use scheme,
 in particular focussing on improving
 the frontage visible from the A259.
 - Prestwich House (site SP1) is suitable for mixed use redevelopment comprising employment uses (use classes B1) on lower storeys and residential (use class C3) on upper storeys
 - The former Belgrave Day Centre (site SP2) and Wellington House (site SP3) could be redeveloped to accommodate residential development (use class C3).
 - Regency House (site SP4) remains suitable for employment uses (use classes B1 or B2) compatible with the adjacent residential use. If redeveloped the site could accommodate a mix of uses including employment (use class B1) on lower storeys and residential uses (use class C3) on upper storeys.

- The Former Flexer Sacks (site SP5 on Map 8) is suitable for mixed use redevelopment comprising employment uses (use class B1) on lower storeys and residential (use class C3) on upper storeys. Leisure and assembly uses (use class D) may be permitted provided they are compatible with residential and employment uses in the vicinity.
- Site SP6 is bounded by Church Road, Wellington Road and St Peters Road (see Map 8). The northern portion of the site fronting onto St Peters Road is suitable for residential development (use class C3). The southern portion of the site is allocated for new employment development (use classes B1, B2, and B3) provided it is compatible with adjacent residential development.
- Station Road (site SP7 on Map 8) is suitable for mixed use redevelopment comprising active commercial and retail uses at ground floor (use classes A1, A2, A3 and B1) and residential (use class C3) on upper storeys and to the rear of the site.
 - The depth of the site would allow the creation of a small number of mews / terraced houses off the main street.

Residential uses

- 4.3.29 New residential developments will provide much needed new homes and help contribute to the creation of a softer edge to the fringes of the port operational and employment areas. They will also help to deliver public realm and infrastructure improvements through contributions arising from planning obligations.
- 4.3.30 At South Portslade, a mix of apartments, terraced town houses and mews housing would be appropriate, with the majority of residential dwellings likely to be arranged as flatted accommodation, for example apartments arranged to complete urban blocks or forming new perimeter blocks. A number of sites in South Portslade are proposed as apartment blocks of varying heights overlooking Wellington Road and the port to the south.
- 4.3.31 Opportunities exist to create a two to three storey mews housing typology on the northern portion of site SP6 and to the rear of Station Road on site SP7.

Redefining the core employment area boundary

- 4.3.32 The South Portslade Industrial Estate is protected for employment generating uses and an extended core employment area is proposed. The original boundary was based on the Employment Area designation in the adopted Brighton & Hove Local Plan (2005). The area is extended to include sites to the west of Church Road (A293).
- 4.3.33 North Street remains the core spine of the employment area fronted by modern employment floorspace.

 Opportunities will be sought by the partnership to support and promote the provision of modern employment floorspace and improve the business environment within the redefined core employment area.

Supporting community assets

4.3.34 There are several valued community assets within the area including City Coast Church and Community Centre, St Peters Primary School. New developments in the area should take into account the proximity to these activities, seek to enhance the quality of their environment wherever possible and mitigate potential impacts.

Policy CA3: South Portslade and North Quayside

- North Quayside is safeguarded for future commercial port operations and related activities.
- South Portslade is designated as a strategic employment/mixed use area.
- 3. The partnership will work with developers and stakeholders to deliver:
 - a. a minimum of 210 new residential dwellings (use class C3)
 - b. a minimum of 3,000m2 employment floorspace (use classes B1, B2 and B8)
 - c. ancillary leisure uses
- 4. Site allocations at South Portslade (shown on Map 8) are:
 - a. SP1 Prestwich House (and adjoining): Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys).
 - SP2 Former Belgrave Centre (and adjoining): Allocated for residential development (use class C3)
 - SP3 Wellington House: Allocated for residential development (use class C3)

- d. SP4 Regency House: Allocated for mixed use development (use class B1 on lower storeys and use class C3 on upper storeys)
- e. SP5 Former Flexer Sacks: Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys.

 Associated leisure and assembly (use class D) uses may be permitted provided they are demonstrated to be compatible with residential and employment uses in the vicinity.
- f. SP6 Church Road/Wellington Road/ St Peter's Road: The southern portion of the site is allocated for new employment development (use classes B1, B2 and B3). Employment uses must be compatible with adjacent residential development. As part of a comprehensive redevelopment, residential development is acceptable on the northern portion of the site, fronting onto St Peter's Road.
- g. SP7 Station Road: Allocated for mixed use redevelopment (use classes A1, A2, A3 and B1 fronting Station Road and use class C3 to the rear and on upper storeys)

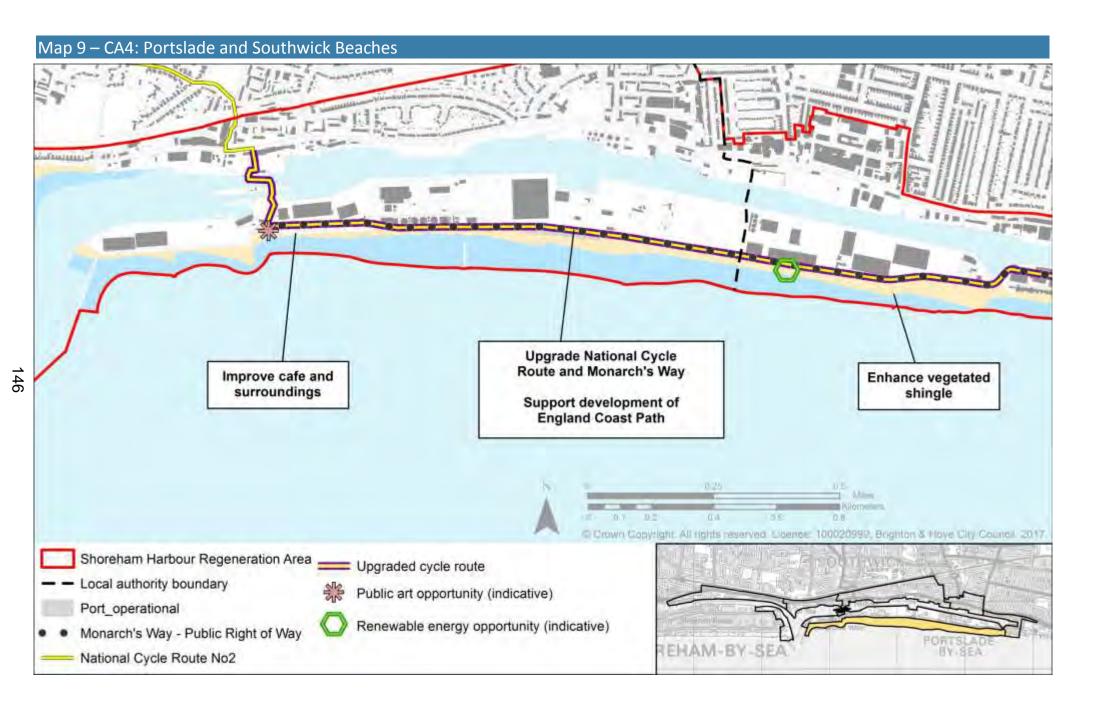
- 5. South Portslade Industrial Estate (as shown on Map 8) is protected for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floorspace.
- 6. For sites SP1, SP2, SP3, SP4, SP5, and the southern portion of site SP6:
 - a. Building heights up to six storeys are generally considered acceptable.
 - b. New buildings should be set back from Wellington Road to allow the enhancement and extension of the proposed green corridor.
- 7. For site SP7, and the northern portion of site SP6:
 - a. Building heights up to three storeys are generally considered acceptable.
- 8. Comprehensive redevelopment may offer potential for greater building heights, subject to consultations through the planning application process, detailed design considerations and meeting the principles of the emerging Urban Design Framework.

- 9. Where appropriate proposals will be expected to enhance townscape around key linkages and junctions, in particular Boundary Road/Station Road (B2193) Wellington Road (A259) junction and Church Road (A293) Wellington Road (A259) junction.
- 10. The partnership will work with developers and stakeholders to support and identify mechanisms for implementing ecological and landscaping improvements to the Wellington Road frontage as part of the green corridor alongside the A259.
- 11. New developments fronting Wellington
 Road should be setback beyond the
 proposed green corridor. Given the
 proximity to both the road and port
 operational uses this will prevent a
 canyoning effect and ensure that
 residents are protected from noise and air
 quality impacts.
- 12. Where open space requirements cannot be met on site, development will be required to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as Vale Park, Hove Lagoon and/or Portslade Beach.

- 13. The partnership will work with developers and stakeholders to deliver the package of transport measures for North Quayside and South Portslade as set out in the Shoreham Harbour Transport Strategy.

 Critical measures include:
 - Improvements to the following junctions:
 - Wellington Road (A259) Church Road (A293) – Basin Road North
 - Kingsway/Wellington Road (A259) –
 Boundary Road/Station Road
 (B2194) Basin Road North
 - Improvements to the cycling facilities along the A259. Improvements to pedestrian and cycle crossing points.

PORTSLADE AND SOUTHWICK BEACHES



4.4 Character Area 4 – Portslade and Southwick Beaches

Area priorities

- To seek improvements to the quality, access, appearance and maintenance of the public right of way, beach promenade, public areas and beach environment
- To support the delivery of the England Coast Path along the beaches
- To protect and enhance important habitats and species, such as coastal vegetated shingle as part of a green corridor along the beaches

About the area

- 4.4.1 Basin Road South runs parallel to South Quayside and provides vehicular access to the main operational port areas. It forms part of the national cycle network (NCN2) which runs along Wharf Road and Basin Road South before crossing the lock gates. NCN2 will eventually connect many of the urban areas along the south coast. Basin Road South also forms part of Monarch's Way walking trail which runs along the road to Hove Lagoon before continuing along the seafront promenade.
- 4.4.2 The England Coast Path currently being developed by Natural England is likely to follow this route. The partnership will work with Natural England to secure improvements to the route through this area.
- 4.4.3 There is potential to improve this access route, whilst maintaining the security of the adjacent port operational areas.

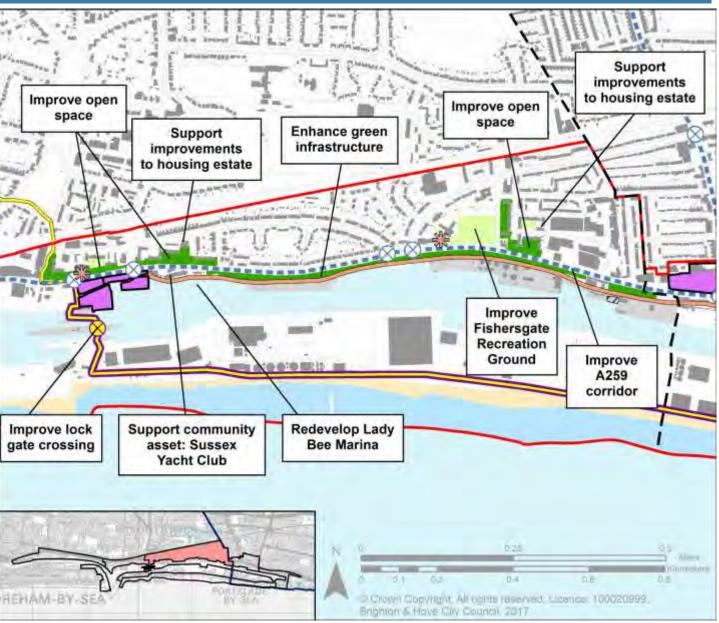
- 4.4.4 At the eastern end of Portslade beach is Basin Road South SNCI; designated for coastal vegetated shingle. This site is part of the operational port and remains in active use. Vegetated shingle covers less than half of the site and is not considered to be an outstanding example of its type. However it is the largest example of this habitat within Brighton & Hove.
- vegetated shingle spread out along the coastal frontage. These are relatively isolated from each other. There is therefore potential to connect these habitats to create a continuous corridor as part of an enhanced green infrastructure network. There is potential for raising public awareness through better demarcating of habitats and interpretive signage.
- 4.4.6 Despite the industrial feel of this route, it remains popular and the beaches are frequented by local families, swimmers, surfers and artists, particularly during the summer months. There is also a café and public car park. The Adur District Council-owned beach huts adjacent to the café have recently been refurbished (2010) and remain oversubscribed. There may be an opportunity to increase the number of beach huts.

Policy CA4: Portslade & Southwick Beaches

- The beach areas and adjacent public spaces will be safeguarded for the protection of coastal processes, marine habitats and the enjoyment of local communities and visitors.
- The partnership will promote the enhancement and creation of vegetated shingle habitats to create a continuous corridor along the beaches. Compensatory habitat creation and safeguarding will be required for any loss or disturbance to existing habitats.
- 3. The partnership will promote improvements to the seafront café and immediately surrounding area.
- 4. The partnership will promote opportunities to improve the quality of the National Cycle Route No. 2 and Public Right Of Way corridor in accordance with the Transport Strategy.
- 5. The partnership will work with Natural England to support the delivery of the England Coast path through the Portslade and Southwick Beaches area.

- 6. The partnership will promote opportunities to improve the quality of public access areas connected to the beaches including:
 - Work with local community to identify suitable locations for incorporation of public art.
 - Explore potential for increasing beach huts and converting some to artist's studios.
 - Explore opportunities for environmental improvements to the car park entrance and boundaries including landscaping, fencing, signage, lighting and an enhanced entrance.





4.5 Character Area 5 – Fishersgate and Southwick

Area priorities

- To designate Southwick Waterfront as an allocation for new mixed use development.
- To support the comprehensive redevelopment of Southwick Waterfront to accommodate a mix of new and improved employment generating uses (use classes B1, B2 and B8).
- To safeguard and develop port operational areas to accommodate new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.
- To support the comprehensive reconfiguration of Lady Bee Marina.
- To address deprivation through partnership working with Adur Homes, Action Eastbrook Partnership and local service providers.

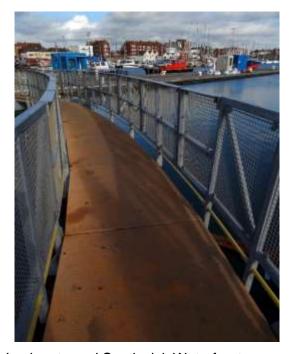
- To improve sustainable transport links with surrounding communities.
- To support improvements to local housing estates and community facilities, including enhancing Fishersgate recreation ground.
- To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including landscape enhancements to social housing estates.
- To support the delivery of the England Coast Path through the Southwick Waterfront area.

About the area

- 4.5.1 The Fishersgate and Southwick area comprises a mix of residential, community, open space, recreational, port and employment uses. Within the residential community there are pockets of deprivation which is the focus for the work of the Action Eastbrook Partnership.
- 4.5.2 The area extends from the district boundary to the lock gates over the Canal.
- 4.5.3 The eastern end of this character area comprises the Fishersgate neighbourhood, between the railway line to the north and the busy A259 to the south. There is a footbridge over the railway line at Fishersgate station. The residential areas located here are in very close proximity to the industrial activities of the port including the fuel storage facility as well as a nearby industrial estate and electricity substation.

- 4.5.4 There are a number of community assets including two community centres, a recreation ground with children's play area, Shoreham Academy's Gateway Centre, and a children and family centre. Fishersgate has been identified as a focus area requiring better facilities for youth services. Currently there is no dedicated youth centre close by, although there are a number of community facilities which could offer or do offer a youth service provision.
- 4.5.5 The area is a densely populated urban area with a high proportion of flats. The housing is predominantly terraced with some semi-detached houses and two Adur Homes-owned estates with multistorey flatted developments reaching up to six storeys high. The surrounding public landscaped space is fairly sparse but serves as a green buffer between housing and the road.
- 4.5.6 The Mill Road Industrial Estate, located to the east of the Fishersgate area, comprises a mix of retail units, manufacturing warehouses, office space and storage (including self-storage) warehouses. In the west of this character area is the Grange Industrial Estate which comprises a mix of retail units, manufacturing units, printing companies and distributing warehouses.

4.5.7 Southwick Waterfront, adjacent to the lock gates, has been identified as an allocation for new employment floorspace. The lock gates carry the National Cycle Route (NCN2) across the harbour and are an important pedestrian route to South Quayside and Southwick Beach. Many of the buildings and public realm in this area is of poor quality. However it is adjacent to the popular Lady Bee Marina and Southwick Riverside Conservation Area, which includes the Grade II listed Sussex Yacht Club boat store.



Lock gate and Southwick Waterfront



Lady Bee Marina and Southwick Riverside Conservation Area

Transport and connections

- 4.5.8 Refer to the Shoreham Harbour
 Transport Strategy for details of the
 package of measures proposed to
 support the development of Allocation
 Southwick Waterfront and the wider
 character area.
- 4.5.9 Southwick town centre is located north of the railway line, outside the regeneration area. There are two access points linking the centre of Southwick with the Southwick Waterfront area. Pedestrian and cycle connections linking Fishersgate with surrounding areas are poor. The A259 is the main east-west route.
- 4.5.10 The transport strategy proposes a range of measures for this area including junction improvements to the A259/Lady Bee Marina junction; A259 bus priority measures; improvements to the NCN2 cycle route across the lock gates; an A259 cycle facility linking and improved cycle and pedestrian crossing points and public realm.
- 4.5.11 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA5 Fishersgate and Southwick, crossing over the lock gates.

Flood risk and sustainable drainage

- 4.5.12 Most of Fishersgate and Southwick are situated outside of the area at risk of tidal and fluvial flooding for present day flood risk. The estimated flood depth for this site during a 1 in 200-year tidal flood event has been shown to be relatively low (up to 0.4m). The 2115 prediction factoring in climate change however indicates that flood depths could increase to between 1m and 1.6m and much of the site becomes at risk of flooding.
- 4.5.13 At the Southwick Waterfront allocation, existing land levels vary from 3.6m AOD (Above Ordnance Datum) to in excess of 8m AOD. The majority of the site is at a level of between 4.0m and 5.0m AOD. Only the northern section of the site exceeds 5.0m AOD.
- 4.5.14 Parts of the waterfront fall within Tidal Flood Zones 2 and 3. The estimated maximum flood depth for this area for the 1:200 year tidal event is 0.40m.
- 4.5.15 The risk associated with this form of flooding increases significantly when sea level rise associated with climate change is factored in. In this scenario, maximum estimated flood depths increase to about 1.4m with increased flood velocities. Development in this location will need to take this flood risk constraint into consideration.

- 4.5.16 The Brighton Marina to River Adur
 Strategy identifies improvements to
 flood defence infrastructure in this
 locality. Improvements will help protect
 areas identified for development and
 because no residential development is
 identified for this allocation, it is
 considered appropriate that building
 level resilient and resistant measures
 will be sufficient.
- 4.5.17 Surface water flooding is also a risk to the site as it can result in pollution to water and development in this location will need to take this flood risk constraint into consideration.
- 4.5.18 Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach set out in the following publications (or subsequent replacement documents):
 - Adur & Worthing Councils and/or Brighton & Hove Council's SFRAs
 - Water. People. Places: A quide for master planning sustainable drainage into developments
 - CIRIA SuDS Manual
- 4.5.19 Refer to the Shoreham Harbour Flood
 Risk Management Guide SPD (2015) for
 full details of requirements in relation to
 protection from flooding.

4.5.22

Green infrastructure

- 4.5.20 East of Lady Bee Marina the North Canal Bank slopes steeply from the canal up to the A259. This undeveloped grassland provides an important green infrastructure role as a linear wildlife corridor, and is an important habitat for common lizards and slow worms.
- 4.5.21 The partnership will support Shoreham Port Authority to manage and enhance this area. Potential interventions include landscape and ecological improvements such as planting of native hedgerows, plug planting of suitable species and improved sustainable transport links.
 - To the north of Fishersgate
 Terrace/Albion Street (A259) the social
 housing estates are set amongst areas
 of grassed space. These spaces have
 significant enhancement potential to
 provide both amenity space to residents
 and ecological benefits. Two pocket
 parks have already been created at
 Coates Court, Southwick and Laylands
 Court, Fishersgate. The partnership will
 continue to work with Adur Homes and
 Action Eastbrook Partnership to
 improve these areas

- 4.5.23 The grassed areas around the housing estates, the North Canal Bank and Fishersgate Recreation Ground form key elements of the proposed green corridor through the regeneration area.
- 4.5.24 The Shoreham Harbour Green Infrastructure Strategy will set out detailed proposals for these areas.



North Canal Bank



Fishersgate Recreation Ground



Frontage to housing estate

Development opportunities

4.5.25 For the foreseeable future the waterfront area adjacent to Fishersgate will remain safeguarded for portoperational uses. As port uses change over time it will be important to take account of the effect on nearby residential areas..

Allocation: Southwick Waterfront

- 4.5.26 Southwick Waterfront has been identified for a minimum of 4,000m2 new employment floorspace and provision of small scale business units (use classes B1 and B2). It is acknowledged that a lower level of development may be achieved if some buildings are refurbished, rather than redeveloped. Residential development is not appropriate due to the proximity of port operations.
- 4.5.27 A public right of way, and part of the national cycle route (NCN2) run through the area, crossing over the lock gates. Public realm in this area is poor. This could be improved as part of new development and the delivery of the England Coast Path.

Lady Bee Marina and Riverside Conservation Area

- 4.5.28 Lady Bee Marina currently contains an eclectic assortment of interesting buildings, many dating from the 19th and early 20th centuries. The marina has a quaint, maritime charm and includes a chandlery and pub/restaurant. It has 120 pontoons for private boats and is a popular spot for anglers and dog walkers.
- 4.5.29 Parts of Lady Bee Marina fall within the Riverside Conservation Area including the Grade II listed Royal Sussex Yacht Club. The Riverside Conservation Area also includes several residential dwellings, a pub and the former Southwick Town Hall now used for offices.
- 4.5.30 The Port Masterplan describes this location as lacking design quality and integrity with spatial constraints causing car parking to be marginalised and squeezed into any available space. It identifies the area as having significant potential for enhancement to improve the leisure offer within the port.

There is a flat area of green space to the 4.5.31 east of the marina, accessed on foot via a narrow path or steps down the steep retaining north canal bank from the A259. This is commonly used for dog walking and angling however suffers from littering. The Port Masterplan identifies this area as having potential for improvements including a canal-side walkway, a new service road, car park, dry boat store and new base for local youth groups. This location could act as a buffer between the more industrialised North Quayside area and a new revitalised marina.

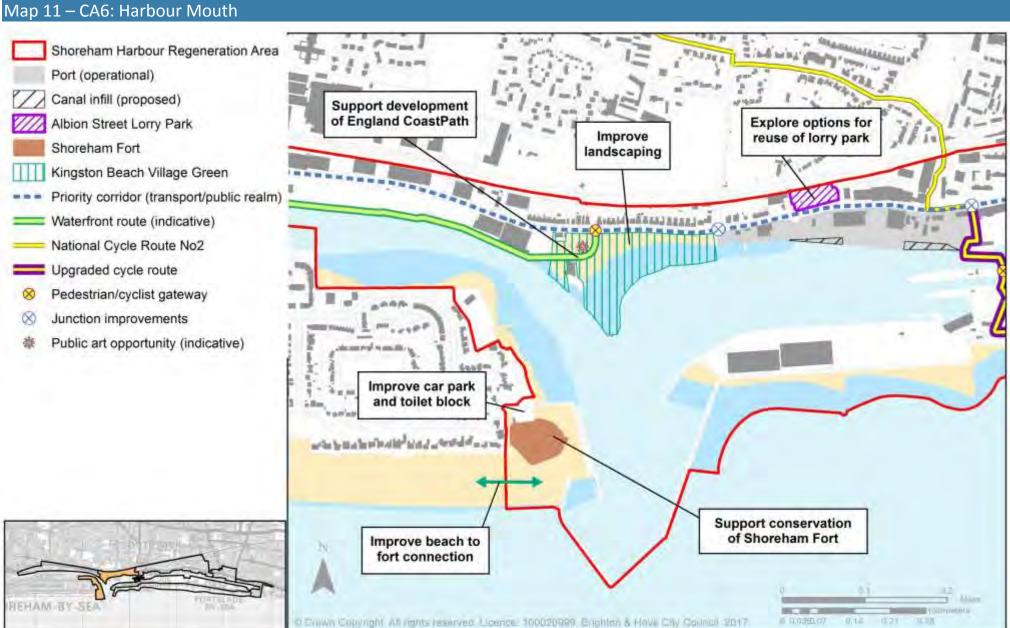
Policy CA5: Fishersgate and Southwick

- Southwick Waterfront is designated as a strategic employment area (Allocation Southwick Waterfront).
- 2. The partnership will work with, developers and stakeholders to deliver a minimum of 4,000m2 new employment floorspace. The partnership will support the redevelopment of sites to deliver high quality, modern employment floorspace.
- 3. The partnership will work with developers and stakeholders to deliver the reconfiguration of Lady Bee Marina. This will include:
 - Improved marina facilities, expanded berthing capacity and waterside leisure provision, including a new slipway, utilising canal edge water space to the east
 - Complimentary waterside facilities
- Port operational areas, including the dry dock, are safeguarded for future commercial port operations and related activities.
- Ongoing protection will be provided for the functioning of the dry dock ensuring that land uses in the immediate vicinity do not compromise its ongoing efficient use.

- 6. Development should respect and connect with surrounding areas. Where appropriate proposals will be expected to enhance townscape around key linkages and junctions, in particular pedestrian and cycle routes from Southwick station and Southwick Green across the lock gates to the beaches, and an improved alignment of the Nautilus House access road serving Allocation Southwick Waterfront and the dry dock.
- The partnership will support Adur Homes, Action Eastbrook Partnership and local service providers to deliver improvements and harness benefits arising for harbourside communities. Emerging priorities include:
 - Enhancing Fishersgate Recreation ground
 - Supporting and enhancing local community facilities
 - Supporting improvements to housing estates
 - Promote opportunities to support communities in improving green infrastructure to provide amenity to residents and enhance biodiversity

- 8. The partnership will support and identify mechanisms for implementing ecological and landscaping improvements to the frontage of housing estates to Fishersgate Terrace/Albion Street (A259), Fishersgate Recreation Ground and the North Canal Bank as part of the green corridor along the A259.
- 9. The partnership will work with developers and stakeholders to deliver the package of transport measures for Fishersgate & Southwick as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
 - Improvements to the following junctions:
 - Albion Street (A259)-Riverside junction serving Lady Bee Marina
 - Improvements to the Albion Street (A259) junction serving Southwick Waterfront
 - Improvements to cycling facilities along the A259.
 - Improvement to the pedestrian and cycle route across the lock gates.
 - Improved pedestrian and cycle crossing points.
 - Bus stop improvements.
- 10. The partnership will support the delivery of the Southwick Waterfront access road, with limited canal infill where required, to create space for an access road and waterside footway / cycle path.





4.6 Character Area 6 – Harbour Mouth

Area priorities

- To support the conservation of Shoreham Fort.
- To enhance connections between Shoreham town centre, Shoreham Beach and Shoreham Fort through environmental and landscaping improvements.
- To support the redevelopment of Shoreham Rowing Club and enhance the public realm environment of Kingston Beach.
- To explore options for the future use of the Albion Street lorry park.
- To support Adur Homes in exploring options for redevelopment of housing sites.

About the area

- 4.6.1 CA6 Harbour Mouth is split across either side of the River Adur at the mouth of the river. This is the entrance to the harbour. The southern section is also within the area covered by the emerging Shoreham Beach Neighbourhood Plan.
- At Shoreham Beach are the remains of Shoreham Fort, a Scheduled Monument. The fort was completed in 1857 and is one of the celebrated south coastal defences built under the Victorian Prime Minister Lord Palmerston. It is of national historical importance and was a vital part of the south coast defence system.
- 4.6.3 A local charity, the Friends of Shoreham Fort supported by Shoreham Port Authority, have taken responsibility for conserving the fort. This area is a popular destination for walkers. It is well used by anglers and home to the National Coastwatch Institute look-out tower.
- 4.6.4 In recent years there have been various plans for the fort including local interest for incorporating an educational facility and improving the public toilet block.

- 4.6.5 The Environment Agency plan to improve the layout, surfacing and public realm of the car park area at the Fort through the Shoreham Adur Tidal Walls scheme. The fort will benefit from this improvement. In addition, an upgrade including improved signage, benches, and potentially a café/visitor centre facility would further improve the area.
- 4.6.6 To the west of the fort is Shoreham
 Beach, a residential community almost
 entirely surrounded by water,
 connected to the town centre by
 Norfolk Bridge and the Adur Ferry
 Bridge. The beach area has a fascinating
 history. It was originally empty scrub
 created by a shingle bank that
 developed over centuries through
 longshore drift.
- 4.6.7 The beach itself is designated as a Local Nature Reserve (LNR) and Site of Nature Conservation Importance (SNCI). The designating feature of the LNR is its rare and beautiful flowering vegetated shingle that has adapted over time to the harsh conditions.
- 4.6.8 On the riverside of Shoreham Beach is Silver Sands, a small sandy beach between Sussex Wharf and Soldier's Point, which sees the flowering of wild Geranium and Childing Pink, a nationally rare and protected plant species.

- 4.6.9 Directly opposite the harbour mouth is Kingston Beach, designated with Village Green status to safeguard it as a public space. The beach is home to Shoreham Rowing Club as well as the new RNLI lifeboat building, a maritime themed, low carbon building of significant architectural merit.
- 4.6.10 Kingston Beach is also home to the Grade II listed Kingston Buci Lighthouse, a distinctive local landmark. There is a wealth of local history that could be better interpreted in this location through imaginative signage. There is significant potential to improve the landscaping and street furniture to make it more accessible and appealing as a local amenity area.
- 4.6.11 Directly opposite Kingston Beach is a row of terraced housing, including several Adur Homes-owned properties.
- 4.6.12 To the east of these properties on the south-side of the A259 is the port operational area; whilst on the north-side of the A259 are a number of dwellings, Albion Street Lorry Park, and a range of light industrial and employment generating uses.

Development opportunities

- 4.6.13 The existing port operational area will be retained for port use. There are significant opportunities to improve the amenity value of Shoreham Fort and Kingston Beach for the benefit of local residents and visitors.
- 4.6.14 The Albion Street lorry park is no longer required in this area. The partnership is exploring alternative uses for the site, including relocation of businesses from elsewhere in the regeneration area.
- 4.6.15 Adur Homes is exploring opportunities to redevelop a number of older properties on the northern side of Albion Street. The partnership will support the redevelopment of these sites.
- 4.6.16 The proposed waterfront route along the Western Harbour Arm will end at Kingston Beach. The partnership is exploring options to integrate this route with the village green and connect to the proposed A259 cycle route.



Shoreham Fort and Shoreham Beach

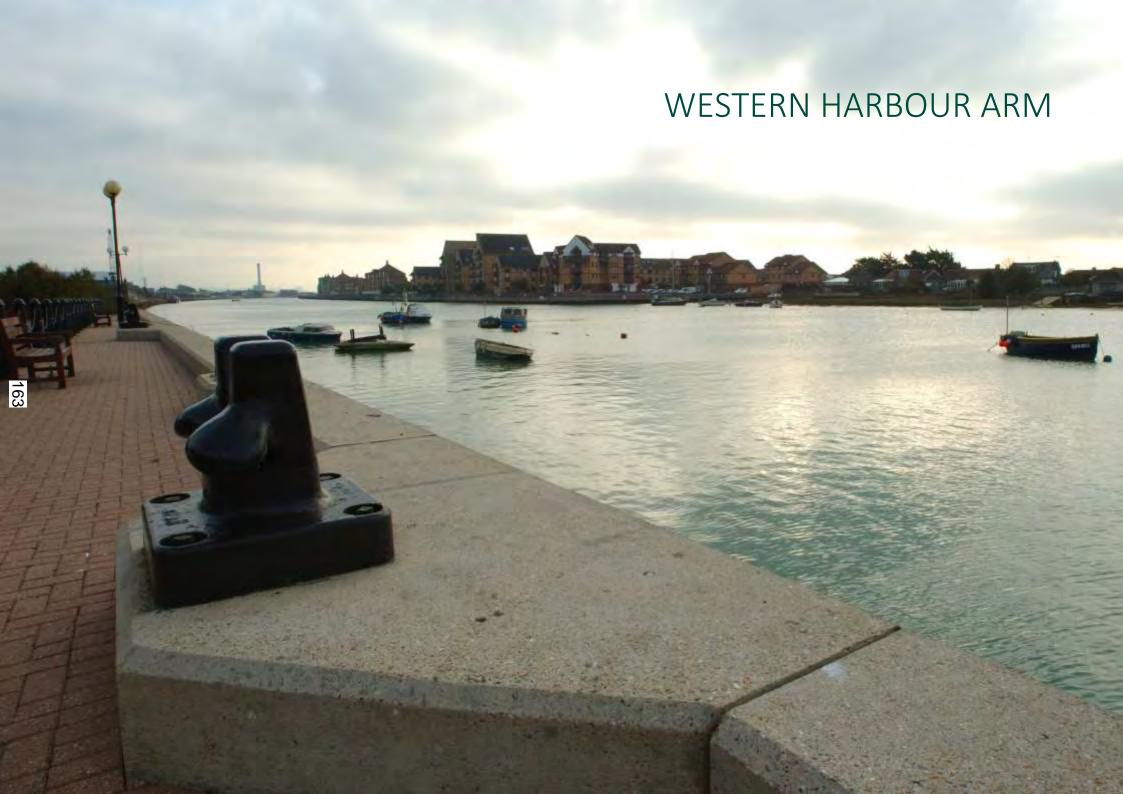


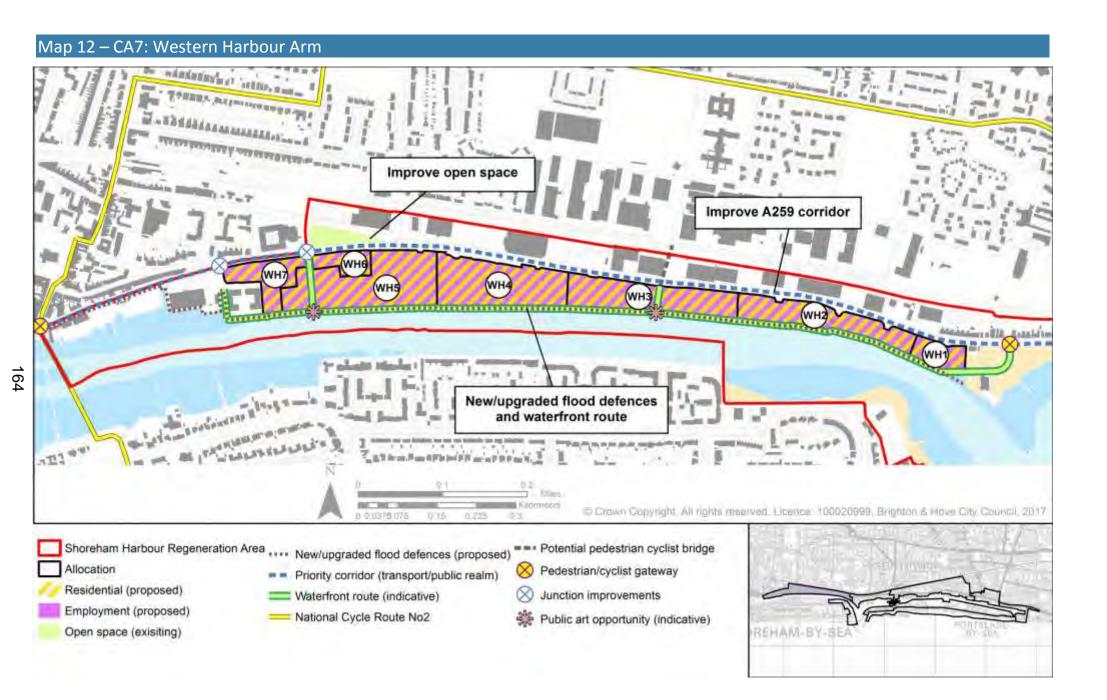
Kingston Buci Lighthouse and Shoreham Lifeboat Station

Policy CA6: Harbour Mouth

- The existing port operational areas will be safeguarded for future commercial port activity.
- 2. The partnership will work with the community and stakeholders to support the conservation of Shoreham Fort and enhancement of the surrounding area including:
 - Explore potential to provide visitor centre / café.
 - Improved car parking configuration and delineation of bays, including disabled parking.
 - Explore potential to improve public toilet block.
 - Improve sense of arrival and entrance on to site, ensuring disabled access as well as improved access between the car park and Shoreham Beach.
 - Upgrade of street furniture such as benches, signage, bins and lighting.
 - Improved way-finding connections to new footbridge.
- The partnership will ensure that the Shoreham Beach Local Nature Reserve is protected. In particular the most sensitive sections of the beach in terms of ground nesting birds and vegetated shingle.

- 4. The partnership will work with the community and stakeholders to improve Kingston Beach including:
 - Redevelopment of Shoreham Rowing Club.
 - Upgrade of public open space areas in accordance with the Shoreham Harbour Streetscene Guidance and Shoreham Harbour Green Infrastructure Strategy.
 - Improve delineation/ formalisation of parking area.
 - Promote opportunities for interpretation of marine environment and biodiversity.
- 5. The partnership will promote appropriate streetscape planting along Albion Street and Brighton Road (A259) to extend the green corridor.
- 6. The partnership will support Adur Homes to maximise the use of its housing sites, including potential redevelopment.
- 7. The partnership will explore options for the alternative uses for Albion Street lorry park.
- 8. The partnership will explore options to deliver the eastern entry to the proposed Western Harbour Arm waterfront route.





Area priorities

- To designate Western Harbour Arm
 Waterfront as an allocation for new mixed use development.
- To facilitate the comprehensive development of the Western Harbour Arm Waterfront to become an exemplar sustainable mixed-use area (use classes B1 and C3).
- To improve legibility, permeability and connectivity through high quality building design, townscape and public realm, ensuring to respect and complement the character of surrounding areas.
- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.
- To facilitate the strategic relocation of industrial uses to elsewhere in the harbour or local area to free up waterfront opportunity sites.
- To improve access arrangements to create better linkages with Shoreham town centre and surrounding areas.

- To improve connections around key linkages including Shoreham High Street/Norfolk Bridge (A259) – Old Shoreham Road (A283), Brighton Road (A259) – New Road – Surry Street, and Brighton Road (A259) – Ham Road.
- To deliver a comprehensive flood defence solution integrated with a publicly accessible waterfront route including pedestrian / cycle way and facilities for boat users.
- To ensure that new development proposals mitigate noise and air quality impacts.
- To enhance the area's natural biodiversity by incorporating multi-functional green space, creating and improving habitats and improved green infrastructure links.
- To support the delivery of the England Coast Path through the Western Harbour Arm area.

About the area

- 4.7.1 CA7 Western Harbour Arm is on the northern bank of the River Adur between the Harbour Mouth and the historic centre of Shoreham-by-Sea. The area is highly constrained by Brighton Road (A259) and the railway. The Western Harbour Arm is the principal approach to Shoreham-by-Sea from the east. To the north of the railway line, the area is abutted by residential neighbourhoods and a large industrial estate.
- 4.7.2 Shoreham-by-Sea town centre, a few minutes' walk to the west has a peaceful, coastal charm consisting of predominantly two storey terraced cottages on streets leading off from the primary shopping area. There are open views across the River Adur to the south as well as river glimpses between buildings where remnant slipways and hards remain. There is a marked contrast moving east out of the town and along Brighton Road (A259) where there are only limited views of the waterfront and public access to it.

- 4.7.3 Along the Western Harbour Arm there are a range of different employment uses. The waterfront sites are predominantly large industrial and open storage premises including fuel storage, plastics manufacturing, aggregates handling and metal recycling. The majority of the sites are privately owned.
- 4.7.4 Closer to Shoreham-by-Sea town centre is The Ham, an open space which includes a popular skate park. There is a car show room and some office and workshop units such as the Riverside Business Centre and Ham Business Centre.
- 4.7.5 On the northern side of the A259 are mainly 'big box' retail warehouses, a supermarket and the local municipal waste facility.
- 4.7.6 A number of the premises along
 Brighton Road (A259) are coming to the
 end of their useful life and are no longer
 ideally suited for modern business
 needs either requiring significant
 investment on-site or relocation to a
 better facility elsewhere.
- 4.7.7 The river wall and flood defence infrastructure is in need of upgrade and repair and some of the land stands vacant and underused.

Transport and connections

- 4.7.8 The Brighton Road (A259) road frontage is harsh and unattractive due to the industrial uses that prevent views across the water. The road is a very popular route with cyclists despite the lack of a formal cycle lane, poor surfacing and heavy use by heavy goods vehicles.
- 4.7.9 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA7: Western Harbour Arm between Kingston Beach and Adur Ferry Bridge.

Environmental considerations

- 4.7.10 The Western Harbour Arm is subject to a number of environmental constraints which need to be taken into account when planning for the area. These include:
 - Proximity to the Adur Estuary, a Site of Special Scientific Interest (SSSI).
 - Proximity to Shoreham Beach, a Local Nature Reserve (LNR) and Site of Nature Conservation Importance (SNCI).
 - Shoreham-by-Sea Air Quality
 Management Area (AQMA) that
 covers the town centre and the
 western part of the Western Harbour
 Arm.
 - A municipal waste site.
 - A metal recycling facility. It is proposed that this be relocated
 - A Health and Safety Executive (HSE)
 Consultation Zone which determines
 the distance for different types of
 development from a 'major hazard'
 based on the current gas storage use.
 It is proposed that this be relocated.
 - The presence of contaminated land.
 - The presence of underground water mains and sewers. This infrastructure needs to be protected and new development needs to ensure its operation remains unaffected.

Historic Assets

- 4.7.11 The Western Harbour Arm is partly within the Shoreham-by-Sea Conservation Area. The conservation area includes 47 listed buildings; including the Grade I listed St Mary de Haura Church. The church is clearly visible from Shoreham Beach, the South Downs and much of the wider area and it will be important for any new development at the harbour to respect views of the church and its setting.
- 4.7.12 Also visible from the Western Harbour Arm are the Kingston Buci Lighthouse (Grade II listed) and Shoreham Fort, a Scheduled Monument.
- 4.7.13 There is a wealth of local maritime history that could be better interpreted in this location and there is significant potential to improve the landscaping and setting of the river. This will make the area more attractive and accessible.

Flood risk and sustainable drainage

- 4.7.14 The Western Harbour Arm is adjacent to the lower reaches of the River Adur where it flows into the English Channel. Given this low lying location, there are a number of potential sources of flooding which will be a key consideration in planning for the future of this area.
- 4.7.15 Sites along the Western Harbour Arm are vulnerable to surface water, fluvial, and most significantly tidal flooding meaning that any new residential development would need to be lifted up above likely flood levels. Development will need to be protected through flood defence provision and will need to be safe for the intended building lifetime taking into account climate change and sea level rise.
- 4.7.16 The Adur and Worthing Councils'
 Strategic Flood Risk Assessment (SFRA)
 identifies a number of sites in this area
 as Tidal Flood Zone 2, 3a and Nonfunctional Flood Zone 3b. This latter
 category recognises that some sites
 have the same risk of flooding as Flood
 Zone 3a but do not have a significant
 storage or conveyance potential which
 materially impacts flood risk elsewhere.
 Some sites also fall within Fluvial Flood
 Zones 2, 3a and 3b.

- 4.7.17 The partnership has worked closely with the Environment Agency to develop a comprehensive vision for an upgraded flood defence network to protect a redeveloped Western Harbour Arm. The Shoreham Harbour Flood Risk Management Guide SPD (2015) and Technical Annex details about the recommended approach for this stretch.
- 4.7.18 Comprehensive land raising and/or flood defence provision will be essential to protect existing and future residents and businesses as well as the A259. This approach, which focuses on flood defence provision from the Adur Ferry Bridge to Kingston Beach, will ensure the complete closure of the flood cell and continuation of the line of new defences currently being provided via the Shoreham Adur Tidal Walls Scheme an Environment Agency funded flood defence scheme which ends at the Adur Ferry Bridge.
- 4.7.19 It is essential that the new flood defence network is integrated with a high quality public realm environment that promotes a positive inter-relationship with the river. Flood defences can often physically divide one area from another therefore an important ambition for the Western Harbour Arm is to promote permeability through the entire site.

- 4.7.20 Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. the approach set out in the following publications (or subsequent replacement documents):
 - Adur & Worthing Councils and/or Brighton & Hove Council's SFRAs
 - Water. People. Places: A quide for master planning sustainable drainage into developments
 - CIRIA SuDS Manual
- 4.7.21 Refer to the Shoreham Harbour Flood
 Risk Management Guide SPD (2015) for
 full details of requirements in relation to
 protection from flooding.

Green infrastructure

- 4.7.22 The Western Harbour Arm is dominated by industrial land-uses and generally has a low diversity of terrestrial habitats.
- 4.7.23 The River Adur to the south includes areas of coastal saltmarsh and intertidal mudflat. These habitats form part of the wider network of intertidal habitats in the River Adur Estuary; however these are of limited extent and quality.
- 4.7.24 The Western Harbour Arm is adjacent to the Adur Estuary SSSI and falls within its Impact Risk Zone. Consultation with Natural England will be required in order to avoid harmful impacts on the SSI. Environmental Impact Assessment may also be required.
- 4.7.25 The creation of a new species rich native hedgerow along the southern boundary of The Ham would provide wildlife value but also act as a buffer to noise and pollution from Brighton Road (A259).
- 4.7.26 The Western Harbour Arm Waterfront is the largest of the allocations in this plan. As such it has significant potential to provide green infrastructure enhancements and a net gain in biodiversity.

- 4.7.27 SuDS should be incorporated into design proposals as an integrated system during masterplanning of individual sites. This could include rain water harvesting, green walls and roofs, rain gardens, vegetated swales and porous surface materials.
- 4.7.28 Appropriate planting alongside Brighton Road could extend the proposed green corridor from Kingston Beach as far as The Ham and Shoreham town centre.
- 4.7.29 The proposed waterfront route for pedestrians and cyclists and onsite amenity open space also present significant opportunities for green infrastructure enhancement.

 Appropriate planting could include areas of vegetated shingle along the route, and on connections through to Brighton Road.
- 4.7.30 Where mitigation measures to prevent impact to intertidal habitat are not feasible, any impact or any loss of intertidal habitat as a result of new development or associated flood defence improvements will require the creation of compensatory habitat. Habitat creation and enhancements to new and existing flood defences and revetments/piling such as timber baulking should be incorporated to increase the biodiversity of the river edge.

- 4.7.31 Buildings should be designed to accommodate green walls (or planting) and green roofs (preferably bio-solar). These could compensate for any loss of habitats at ground level, as well as provide additional areas of vegetated shingle.
- 4.7.32 New residential development will generate the need for new open space provision. Some of this will be required on site. However, improvements to existing open spaces will be considered where appropriate.
- 4.7.33 The Shoreham Harbour Green
 Infrastructure Strategy will set out full
 details of requirements in relation to
 green infrastructure and biodiversity.

Development opportunities

- 4.7.34 Many of the business occupiers currently situated on the waterfront do not specifically need a portside location and are not dependent on access to the harbour for their operations.
- 4.7.35 The existing businesses provide a significant amount of employment floorspace and jobs. A key consideration for this area is the importance of working with the harbour businesses to retain them either in the port itself or within the local area in suitable, modern accommodation.
- 4.7.36 Shoreham Port Authority remains responsible for ensuring the river remains navigable and is periodically dredged to a level suitable for existing uses.
- 4.7.37 It is proposed that existing port-related uses in the Western Harbour Arm are relocated within the commercial port area in the Eastern Arm of the River Adur or the Canal. Marine-related uses that contribute to the character of the harbour could potentially remain

- 4.7.38 There is currently development pressure for change along this strip as land owners seek to maximise the value of their land recognising that the location has long been earmarked for redevelopment as a new waterside community.
- 4.7.39 The Western Harbour Arm Waterfront allocation is made up of several sites, some of which are in multiple ownerships:
 - WH1: 5 Brighton Road. This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions.
 - WH2: Kingston Wharf (including Kingston Railway Wharf). This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions for a mixed use development.
 - WH3: Egypt Wharf. This site is expected to come forward towards the end of the plan period.
 - WH4: Lennard's Wharf, Fisherman's Wharf and New Wharf. This site is expected to come forward towards the end of the plan period.

- WH5 Free Wharf. This site has been purchased by a housing developer.
 The council is currently engaged in pre-application discussions for a mixed use development.
- WH6 37 41 Brighton Road and Ham Business Centre. This site is expected to come forward towards the middle of the plan period.
- WH7 63 77 Brighton Road. This site is expected to come forward towards the middle of the plan period.
- 4.7.40 Development of 132 residential units and ancillary retail space at 79 81 Brighton Road is nearing completion.

Residential development

- 4.7.41 Western Harbour Arm Waterfront is a prime riverside site that could offer a vibrant mix of new uses. Development of a minimum of 1,100 new residential dwellings (use class C3) will be instrumental in delivering the sustainable transformation, enabling the creation of an attractive new setting and creating a greater sense of vibrancy along the waterfront.
- 4.7.42 Sites to the north of Brighton Road (A259) are outside the allocation. These sites are not considered likely to come forward within the plan period. This does not preclude appropriate mixed use development on these sites if opportunities arise within the plan period. This would support a comprehensive approach taking in both sides of the road.

Employment-generating floorspace

- 4.7.43 Adur District Council will require development within the Western Harbour Arm Waterfront allocation to include new employment generating floorspace as part of mixed use schemes. This should be predominantly high quality office space (use class B1a). Proposals will be encouraged to provide a range of commercial spaces in smaller format units.
- 4.7.44 Through the Greater Brighton City Deal, the wider Shoreham Harbour area is being promoted as a hub for environmental technology and digital media technology-related businesses. Major development proposals will be expected to incorporate floorspace designed to be suitable for such uses where appropriate.
- 4.7.45 Employment floorspace should be of modern, high quality design with an emphasis on providing studio style or office-based flexible workspace that could accommodate a comparatively higher number of jobs per unit of floorspace than the former industrial uses.

- 4.7.46 Smaller scale (preferably marine-related) leisure facilities will also be supported. These activities will play a major role in adding diversity and interest to the waterfront, and helping to generate footfall.
- The partnership will continue to liaise 4.7.47 with landowners and businesses to understand their ambitions and ensure that the process of land use change is managed sensitively. For example, it is understood that some operators are already considering alternative sites outside of the Western Harbour Arm for relocation purposes. However, other businesses have no immediate desire to relocate, and as such may not come forward for redevelopment until the latter part of the plan period. This plan seeks to maintain sufficient flexibility to enable a phased redevelopment approach.
- 4.7.48 The release of sites for redevelopment to alternative uses along the Western Harbour Arm is a long term process which requires careful management and will rely on working in collaboration with landowners and businesses.

Ancillary retail uses

4.7.49 Shops, cafes and restaurants that are ancillary to new mixed-use developments have an important role to play in realising the vision for regeneration of the Western Harbour Arm. Although residential dwellings and employment generating floorspace will be the primary land use, ancillary retail development will help to bring life to the waterfront and strengthen the overall offer of Shoreham-by-Sea complementing the town centre.

New waterfront route and open spaces

- 4.7.50 New developments will be expected to incorporate areas of public open space which will help to increase the accessibility and visibility of the waterfront, attract visitors to spend time in the area, provide new space for community activities and events and enhance the local environment.
- 4.7.51 As set out in the Shoreham Harbour Transport Strategy, development of a new, publicly accessible waterfront route for pedestrians and cyclists is proposed. The route would increase access to the waterfront by opening up previously restricted vistas and connecting Shoreham town centre and Adur Ferry Bridge with Kingston Beach and beyond framed by the attractive harbour setting.
- 4.7.52 The waterfront route will provide the new residential and commercial properties in the Western Harbour Arm with an attractive outlook over the harbour. The route must be well lit with appropriate signage and landscaping.

- 4.7.53 To accommodate the route,
 development must be set back from the
 waterfront. A setback is likely to be
 required for the purpose of flood risk
 management. Prior consent of the
 Environment Agency is required for any
 works within 16m of the tidal River
 Adur.
- 4.7.54 The waterfront route will not be complete when the England Coast Path is created through the area. This means that the trail will initially have to follow a different route. It is proposed that once the waterfront route is in place, it is adopted as part of the coast path.

Waterfront leisure facilities

4.7.55

Despite popular demand, the harbour is currently lacking in good quality, modern waterfront facilities for boatusers and for local residents and visitors to enjoy. It is proposed to increase the number of berths in the harbour for both visitors and new residents through the incorporation of new publicly accessible guays or floating docks/pontoons linked to new developments and open spaces. This will significantly improve the facilities on offer for the boating community and attract visitors in to the area supporting the local economy. All new features would be subject to the appropriate environmental approvals processes with the relevant statutory bodies.

Improved connections and streetscape

- 4.7.56 As shown in Map 12, a series of new north-south connections from the waterfront route to Brighton Road (A259) are proposed. The exact form and function of these will depend on a number of factors. In some cases, these links may be pedestrian or cyclist only, whilst others will enable site access or direct connections to the waterfront.
- 4.7.57 The incremental introduction of mixed use development to the south of the road will be a trigger for the gradual enhancement of the A259 corridor to ensure that conditions for pedestrians and cyclists are improved.
- 4.7.58 There is considerable scope for highways interventions such as public realm and streetscape improvements and improved crossing facilities.

 Landscaping treatments will also be important for creating setbacks between new developments and the A259 corridor to prevent noise and air quality impacts.

Social and Community Infrastructure

Contributions towards improving local community facilities, or in some instances, provision of new facilities, will be required to support the increased population resulting from development of the Western Harbour Arm. Full details are contained within the *Infrastructure Delivery Plan* (IDP) that accompanies the *Adur Local Plan* (2016). Refer also to Policy SH10 in Section 5. Social and community infrastructure requirements include:

Childcare / Early Years Provision

4.7.59 Additional childcare places will be required through financial contributions for expanding local provision delivered by private, voluntary and independent childcare providers.

Health and Medical Services

4.7.60 Health infrastructure providers have identified the need to replace the existing Shoreham Health Centre in Pond Road. The present 1960s building is of a poor quality and expensive to maintain being unsuitable for modern healthcare deliver. New development on the Western Harbour Arm will be expected to contribute towards improvements.

Education

4.7.61

4.7.62

The project partners are working together to address the need for suitable education provision in the Shoreham area, arising from growth. Existing primary schools are nearing capacity with planned improvements, and opportunities for further expansion are limited. Work is being undertaken to ensure any feasible opportunities to increase capacity at existing schools in the area can be brought forward during the plan period or if other sites can be identified. If not, innovative solutions to address need will be considered by all authorities.

Library Provision

The library offer will need to be improved or expanded to facilitate the development at the Western Harbour Arm. Infrastructure providers are considering the potential for a new library facility at Pond Road in Shoreham as part of a comprehensive redevelopment of the site including the provision of new healthcare facilities.

Facilities for Young People and Teenagers

4.7.63 Mixed-use developments will be expected to incorporate features and facilities that attract young families such as play areas and leisure uses. There may be opportunities to improve the existing skate park at The Ham as part of new developments in the vicinity.

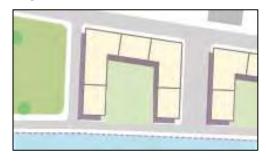
Emergency Services

4.7.64

Contributions towards emergency services, including the police and the fire and rescue services will be required as a result of development at the Western Harbour Arm. Sussex Police has identified the need for improved accommodation and equipment in the Shoreham area. The West Sussex Fire and Rescue Service has identified the potential need for new or improved facilities.

Development form and typology

- 4.7.65 It is important to avoid a single development form being repeated across the whole allocation. Buildings should be oriented to maximise views across the river. However, the exact form is partly dependent on the depth of the site and the mix of uses. The following potential typologies are recommended:
 - It is proposed that deeper sites (WH4, WH5) are arranged as horseshoes of flatted development. Employment floorspace on lower storeys will provide a frontage to Brighton Road (A259). The residential layout will maximise views across the river.



 It is proposed that narrower sites (WH2, WH3) are arranged as pairs of north-south blocks. Employment floorspace will be provided on lower storeys. This will also maximise views across the river.



4.7.66 Mixed employment space should be incorporated into development across allocation Western Harbour Arm Waterfront. Sites should be designed in an urban format with parking at lower levels and trading areas above.

4.7.67

Site WH1, at the eastern end of the Western Harbour Arm Waterfront, has the dual function of forming a strong edge to Kingston Beach, helping to define the space, and to mark the gateway to the Western Harbour Arm. A key consideration here is the potential navigational impact of residential development. Discussions will be required with Shoreham Port Authority at an early point in the design process to ensure navigational issues are addressed.

- 4.7.68 The Western Harbour Arm Waterfront will be a high density neighbourhood. In general buildings should be developed up to 5 storeys on the Brighton Road (A259) and River Adur frontages. Within deeper sites, heights could step up away from these frontages.
- 4.7.69 The Western Harbour Tall Buildings
 Capacity Study (2017) has identified a
 number of significant views that should
 be protected, and heritage assets that
 should be considered as part of
 development proposals:
 - Kingston Buci lighthouse is Grade 2
 listed and is a prominent landmark
 signalling the entrance to the
 harbour, and to the town of
 Shoreham-by-Sea from the west.
 Development of over 3 storeys at
 sites WH1 and WH2 has the potential
 to impact the setting of the
 lighthouse. This must be considered
 when preparing development
 proposals.
 - There are several views from Shoreham Beach to the South Downs. Development of sites WH2, WH3, WH4 and WH5 should ensure that views are retained.

- St Mary de Haura church is the most prominent landmark in the town centre. Most development sites are not close enough to significantly impact the prominence of the church. However developers should consider the potential impact on views of the church.
- 4.7.70 Significantly taller buildings could create issues, such as traffic congestion, infrastructure provision and creation of a microclimate through trapping of air pollutants. Towards the centre of the allocation (western part of site WH3, site WH4 and eastern part of site WH5), there may be scope for taller buildings provided that it can be demonstrated that these issues have been addressed, and the proposal is of exceptional design quality.
- 4.7.71 The findings from the Objectively
 Assessed Need for Housing: Adur
 District study undertaken in 2015
 identifies a limited demand for
 dwellings with four or more bedrooms.
 The focus of provision of market
 housing in Adur should be on two and
 three bedroom housing both for
 younger households and older
 households wishing to downsize. The
 provision of smaller dwellings should be
 focussed in and around town centres
 and Shoreham Harbour.

- For Shoreham Harbour specifically, 4.7.72 there is an opportunity to provide a mix of properties, including one, two and three bed homes as part of a higher density development. The majority of dwellings delivered at Shoreham Harbour will be flatted development. Some sites may be able to accommodate up to ten per cent of dwellings as terraced housing. At the Western Harbour Arm Waterfront there is an opportunity to provide a mix of properties, including one, two and three bedroom homes as part of a high density development. Across the allocation as a whole, the following mix is considered suitable:
 - 35% 1 bed
 - 60% 2 bed
 - 5% 3 bed

Policy CA7: Western Harbour Arm

- Western Harbour Arm Waterfront is designated as a mixed use area (Allocation Western Harbour Arm Waterfront).
- 2. The partnership will work with developers and stakeholders to secure a comprehensive redevelopment of the Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes (use class C3) and a minimum of 12,000m2 new employment generating floorspace (predominantly use class B1a) on the southern side of Brighton Road (A259) within the plan period. Smaller scale retail outlets, food and drink, and marine-related leisure facilities are also encouraged.
- 3. Development proposals for sites to the south of Brighton Road (A259) should not unduly prejudice the potential future development of sites to the north of Brighton Road (A259) and vice versa.
- 4. New developments should incorporate active uses along the waterfront. This may include the provision of parks, squares, play areas and active frontages such as cafes, shops and workspace.
- New development should achieve residential densities of a minimum of 100 dwellings per hectare consisting of predominantly flatted development. A mix of dwelling sizes should be delivered.

- 6. Building heights of up to five storeys are generally considered acceptable on the Brighton Road and River Adur frontages. Away from these frontages, greater storey heights may be acceptable within deeper sites. At sites WH1 and WH2, the setting of Kingston Buci lighthouse must be considered if development over 3 storeys is proposed. At sites WH2, WH3, WH4 and WH5 views from the coast at Shoreham Beach to the South Downs must be retained.
- 7. Taller buildings may be considered in the centre of the allocation (western portion of site WH3, site WH4 and eastern portion of site WH5). Proposals will be required to demonstrate an appropriate response and high quality design in relation to the following elements:
 - Scale and height
 - Architectural detailing
 - Materials
 - Public realm and open space
 - Public transport accessibility
 - Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks, the South Downs National Park, conservation areas, and historic assets

- Microclimate impacts including wind, daylight and sunlight effects, air pollution and urban heat island effects.
- 8. Development should respect and connect with surrounding areas, in particular protecting and enhancing the views from Shoreham Beach, protecting views of St Mary de Haura Church, Kingston Buci lighthouse and better connecting with Shoreham town centre's historic core.
- 9. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Shoreham High Street/Norfolk Bridge (A259) Old Shoreham Road (A283), Brighton Road (A259) New Road Surry Street, and Brighton Road (A259) Ham Road.
- 10. A setback from the waterfront is safeguarded to enable the delivery of a waterfront pedestrian and cycle route between Shoreham-by-Sea town centre and Kingston Beach. Developments should be sufficiently set back from the riverside (at least 8m from harbour wall to building) to incorporate the new waterfront route. The setback may also be required for flood defence maintenance requirements. Set back distance should be discussed and agreed with the Environment Agency.

- 11. Developments should be set back from the A259 corridor to prevent a canyoning effect and to ensure that residents are protected from noise and air quality impacts.
- 12. Prior consent is required for any works in, under or over the River Adur Tidal, a classified 'main river' under the jurisdiction of the Environment Agency, and subject to its byelaws, or within 16metres of the landward toe.
- 13. The partnership will support and identify mechanisms for implementation ecological and landscaping improvements along the waterfront route and alongside Brighton Road (A259) to extend the green corridor.
- 14. The new waterfront route must incorporate sustainable drainage features, such as permeable surfacing and incorporating suitable trees and vegetation.
- 15. Where open space requirements cannot be met on site, development will be expected to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as The Ham and Kingston Beach.

- 16. Major waterfront development schemes will be expected to actively respond to the marine/estuarine environment in terms of their design and layout and incorporate features that improve open access to the waterfront and facilities for boat users such as additional moorings, floating pontoons/docks and slipways. Access to existing public hards must remain.
- 17. Management agreements should be included as part of the planning application for sites of compensatory habitat to ensure the long term integrity for wildlife benefit.
- 18. The partnership will work with developers and stakeholders to deliver the package of transport measures for the Western Harbour Arm as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
 - New waterfront route for pedestrians and cyclists between Shoreham Town Centre and Kingston Beach
 - Improvements to the following junctions:
 - Brighton Road/Norfolk Bridge
 (A259) Old Shoreham Road (A283)
 - Brighton Road (A259)/Surry Street
 - Brighton Road (A259)/South Street (A2025)

- Improvements to the cycling facilities along the A259
- Improved pedestrian and cycle crossing points
- Bus stop improvements



5 Delivery and implementation

- 5.1.1 The following section sets out how the proposals in this plan will be delivered on the ground and how progress will be monitored over time. The plans will need to remain flexible and adjustable as opportunities emerge over time.
- 5.1.2 The regeneration plans are being driven by the Shoreham Harbour Regeneration Partnership. Members of the Partnership signed up to a renewed joint commitment to deliver renewal plans for the harbour via a Memorandum of Understanding signed in 2011. Partnership work is organised around an agreed governance structure that sets out day to day project management and operating protocols.
- 5.1.3 Progress on project work is overseen by a Project Board of senior officers and key stakeholders that meets every quarter. In turn the Project Board reports back to a Leaders' Board comprising the leaders of each council and the Chief Executive of the Shoreham Port Authority. Key decisions are taken through the relevant committees of each authority.

- 5.1.4 Since 2009, significant technical work has been undertaken by the local authorities to determine the appropriate scale and land use mix to plan for at the harbour. Given the changes in the wider economy and government approach during the recent period, it is critical that the plans are not held back by reliance on a large injection of upfront public funding which may be difficult to access.
- 5.1.5 The current plans aim to provide a pragmatic balance between the aspirations and ambitions for a new waterfront community and the commercial realities of bringing forward complex, brownfield sites under current market conditions.
- 5.1.6 The role of the partnership is to provide a dedicated resource to work with developers and investors to facilitate bringing forward packages of catalyst sites and local area improvement projects.

- 5.1.7 Recent work has been focussed on gaining a better understanding of the barriers and costs that have contributed to the large viability gaps that have stalled previous iterations of harbour plans. This has highlighted potential solutions and alternative approaches to reduce costs, delays and risks that are now being taken forward by the partnership.
- 5.1.8 Examples of current areas of partnership work to support delivery include:
 - Technical studies to identify infrastructure costs and delivery mechanisms including flood defence, transport and social infrastructure.
 - Supporting business relocation plans including identifying alternative sites in the local area that better meet business requirements.
 - Communications activities to maintain a positive two-way dialogue with land owners, developers and stakeholders and promote joint working for mutual benefit.
 - Proactively seeking ways to reduce viability gaps and unlock stalled sites.

- Close working and ongoing dialogue with local charities and community groups with an active interest in the harbour area.
- Close working and engagement with key government agencies including Environment Agency, Highways England, Natural England and the Marine Management Organisation.

Delivery objectives and dependencies

- 5.1.9 The objectives for plan delivery are as follows:
 - To ensure that the JAAP proposals and policies are realistic, viable and deliverable within the plan period (to 2032).
 - To maintain appropriate governance structures and adequate resources to ensure responsibility for implementation.
 - To commit to partnership working to identify delivery solutions and to source external funding where required.
 - To maximise investor confidence and reduce risk for developers, partners and stakeholders.
- 5.1.10 The successful delivery of the JAAP is dependent on a number of factors including:
 - Delivery of the allocation proposals

- Funding and timely delivery of infrastructure, including flood defences, highway works and social infrastructure.
- Ability to resource working with local community groups and managing the local area improvement projects.
- The members of the partnership and key stakeholders continuing to provide on-going commitment to Shoreham Harbour as a strategic development priority.

Delivering site allocation proposals

- 5.1.11 Bringing forward the major development opportunities will require the formation of land owner and developer partnerships. Some of the key sites are owned by members of the Partnership, particularly the Port Authority which will enable greater control over the nature of proposals coming forward.
- 5.1.12 Landowner and stakeholder partnerships and potentially joint venture companies will carry forward proposals on the basis of development agreements, within the framework set out in this plan and other supplementary site briefs.

Land assembly and anticipated release 5.1.13 of development sites through the proactive work of the regeneration partnership will help to kick start progress during the first five years. It is not intended to utilise compulsory purchase powers (CPO) in implementing site allocations in multiple ownership and/or occupation, as the JAAP places an onus on developers to negotiate any land acquisition with support from the Partnership. However, an approach that takes a CPO route to deliver a scheme may be required if negotiation proves unsuccessful. This will be carried out in accordance with Circular 06/2004.

Infrastructure requirements

- 5.1.14 Development at Shoreham Harbour will generate the need for additional and improved infrastructure to support the needs of an increased population.

 Essential infrastructure covers a range of items including social infrastructure (e.g. health facilities, libraries, educational; establishments etc.); physical infrastructure (e.g. highways, flood defences, utility provision etc.) and green infrastructure (e.g. allotments, natural open spaces etc.).
- 5.1.15 Infrastructure Delivery Plans (IDPs) have been drafted for Adur and Brighton & Hove. These are live documents that set out the infrastructure priorities associated with the implementation of the Adur Local Plan and Brighton & Hove City Plan and include requirements for Shoreham Harbour. The IDPs clarify which organisation/s are responsible for delivering the infrastructure, how it will be funded and when it is required.
- 5.1.16 Private sector funding through planning obligations linked to individual development proposals will be an important mechanism for securing delivery of infrastructure.

- 5.1.17 The authorities are currently exploring the use of the Community Infrastructure Levy (CIL). Work is on-going to identify which types of developments are applicable for CIL as well as suitable rates and how this might impact on the use of traditional contribution mechanisms such as Section 106 Agreements.
- 5.1.18 Local plan policies and Supplementary Planning Guidance set out the approach to planning obligations that will be applied which can be summarised as follows:
 - On-site obligations required as part of the development including access roads and junctions for development and local public open space.
 - Community infrastructure standard charges including towards public realm improvements, highways improvements and community facilities that may be required or impacted as a result of the development.
 - Strategic infrastructure standard charge covering major capacity enhancing projects including transport network and flood alleviation.

- For strategic level infrastructure 5.1.19 technical work has been carried out to scope out the critical priorities and costs for the harbour. For example, the Shoreham Harbour Flood Risk Management Guide has now been adopted as supplementary planning guidance. This sets out the parameters for provision of harbour-side flood defences. A Shoreham Harbour *Transport Strategy* has prepared by WSCC which establishes the priority transport works that are required to support the proposals. Both of these documents will be used as part of planning negotiations to provide greater clarity to developers over contributions.
- 5.1.20 The following items of infrastructure are typically likely to be requirements for major developments within the allocated sites:
 - Contributions to public transport and highway network improvements
 - Upgraded flood defences integrated with public waterfront walking / cycle route (where appropriate – particularly Western Harbour Arm Waterfront sites)
 - Contributions to social infrastructure
 - Remediation of contaminated areas
 - On-site renewable energy systems / low carbon technologies

Securing funding

- 5.1.21 The work of the Partnership is currently supported by a limited amount of public funding that was awarded by central government prior to 2010. This funding is used to support staff resources, undertake technical studies and provide match funding for future funding bids.
- 5.1.22 The main current sources of funding include:
 - Growth Points Programme funding
 - Eco-town funding
 - Homes and Communities Agency contributions
 - Environment Agency contributions
 - Local authority and Shoreham Port Authority contributions
- 5.1.23 This plan will offer greater certainty for stakeholders to be able to work together to target sources of external funding. Potential sources being currently explored include:
 - City Deal
 - Coastal Communities Fund
 - Coast to Capital Local Economic Partnership (LEP) – Single Growth Pot
 - Sustainable Transport Fund
 - Heritage Lottery Funding
 - EU funding

Monitoring of progress

5.1.24

The progress of the JAAP will be measured at regular intervals over time against the indicators set out within the Sustainability Appraisal that accompanies this document. As the JAAP evolves, the monitoring framework will be established working in partnership with relevant stakeholders. Final monitoring arrangements will be confirmed in the Sustainability Statement to be produced after the JAAP is adopted.

5.1.25 The local authorities undertake ongoing monitoring of their Local Development Frameworks of which this JAAP is a part. Progress on the delivery of the key opportunity development sites will be contained with the Authority Monitoring Report (AMR) for each respective council.

Policy SH10: Infrastructure Requirements

- Developers will be required to provide or contribute to the provision of infrastructure made necessary by the development.
- Infrastructure must be provided at the appropriate time, prior to any part of the development becoming operational or being occupied. Infrastructure needs are identified in each local authority's Infrastructure Delivery Plan (IDP).
- 3. Direct agreements with utility providers may be required to provide
- 4. In accordance with each local authority's planning contributions guidance, infrastructure contributions will be sought via Section 106 Planning Obligations where they meet the statutory tests, and potentially through a future Community Infrastructure Levy.

Shoreham Harbour Regeneration

Adur District Council Brighton & Hove City Council

Portland House Hove Town Hall
44 Richmond Road Norton Road

Worthing Hove

West Sussex East Sussex BN11 1HS BN3 4AH











SHOREHAM HARBOUR JAAP CORRECTIONS AND MAIN AMENDMENTS

Section 1: Schedule of Corrections – October 2017

Section 2: Shoreham Harbour JAAP Main Amendments:

a. Plan text amendments; and,

b. BHCC policies map amendments

SECTION 1:

<u>SCHEDULE OF CORRECTIONS – OCTOBER 2017</u>

These corrections have been made since the Shoreham Harbour Joint Area Action Plan was considered at the Tourism, Development and Culture Committee (TDC) on the 21st September 2017. In should be noted that the drafting error in paragraph 4.2.34 of the JAAP was reported to and consequently considered by TDC.

Schedule of Corrections:

Factual update:

1.11.3 Adur District Council submitted the Adur Local Plan in autumn 2016 will adopt the Adur Local Plan in December 2017. The plan provides a strategy for development in Adur up to 2032.

Factual update:

1.11.10 The West Sussex Minerals Local Plan (2003) safeguards a number of wharves at Shoreham Harbour, including some sites proposed for new mixed use development in this plan. The Draft West Sussex Joint Minerals Plan Submission

Draft West Sussex Joint Minerals Local Plan (2017) seeks to safeguard sufficient capacity to ensure a steady and adequate supply of minerals whilst supporting regeneration aspirations set out in this document.

Drafting error:

Policy SH7: Natural Environment, biodiversity and green infrastructure

2. The partnership will work with stakeholders, developers, landowners and communities to deliver an improved green infrastructure network including:

- A259 green corridor improving and connecting improvement sites alongside the road, including embankments and grassed amenity space
- Portslade and Southwick Beaches including coastal vegetate shingle habitat creation
- Intertidal habitat creation, including baulking and vertical beaches as part of flood defence works.
- Green walls and roofs, and appropriate street planting.
 - A259 green corridor improving and connecting improvement sites alongside the road, including embankments and grassed amenity space
 - Portslade and Southwick Beaches including coastal vegetate shingle habitat creation
 - <u>Intertidal habitat creation, including baulking and vertical beaches as part of</u> flood defence works.
 - Green walls and roofs, and appropriate street planting.

Drafting error:

4.2 Character Area 2: Aldrington Basin

Area priorities

 To designate Aldrington Basin as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocations AB1 to AB4 SS1 — Aldrington Basin).

Drafting error:

4.2.29 The partnership will work with businesses and service providers to identify their needs and overcome barriers to growth in order to improve the basin as a modern thriving local business cluster. As shown on Map & <u>7</u>, key proposals for this area include the following:

Drafting error:

- 4.2.34 The following principles for development form are proposed:
 - For new employment floorspace at the basin level, flexible employment uses are proposed arranged as two to three storey buildings on under-used plots.

Mixed employment and residential uses with a dual frontage onto Kingsway
 (residential/mixed commercial activities of up to four storeys above Kingsway
 with residential accommodation on upper storeys) and Basin Road North
 (employment uses).

Drafting error:

4.3 Character Area 3 –North Quayside and South Portslade

Area priorities

To designate South Portslade as an allocation for new mixed use development. To
designate a strategic employment/mixed-use area (Allocations SP1 to SP7 SS2 — South
Portslade).

Drafting error:

4.3.25 Much of South Portslade Industrial Estate will be protected for employment generating uses. This protection will be extended to include sites to the west of Church Road (A293). A number of sites will be released to accommodate mixed use development including both employment generating and residential floorspace. Key proposals are shown in further detail on Map 9 8.

Update:

Old Adur District Council Logo on back page replaced with new logo

Drafting error:

4.7.56: As shown in Map 11 12, a series of new north-south connections from the waterfront route to Brighton Road (A259) are proposed. The exact form and function of these will depend on a number of factors. In some cases, these links may be pedestrian or cyclist only, whilst others will enable site access or direct connections to the waterfront.

SECTION 2:

SHOREHAM HARBOUR JAAP MAIN AMENDMENTS

a. Plan Text Amendments:

The Draft Joint Area Action Plan has been amended in response to representations received during public consultation between December 2016 and January 2017. The partner authorities have also had the opportunity to make additional changes and factual updates to reflect the progress on other planning documents and policies.

List of main amendments

The list below presents the significant amendments to the plan. Minor typographic errors and factual updates have not been included.

Format of Document

Numerous consultees found policy numbering confusing. Brighton and Hove City Council requested amendment to character area policies.

- Area wide policies consist of:
 - SH1 Climate change, energy and sustainable building
 - o SH2 Shoreham Port
 - o SH3 Economic and employment
 - o SH4 Housing and community
 - o SH5 Sustainable travel
 - o SH6 Flood risk and sustainable drainage
 - o SH7 Natural Environment, biodiversity and green infrastructure
 - o SH8 Recreation and leisure
 - o SH9 Place-making and design quality
 - o SH10 Infrastructure Requirements
- Character area policies consist of:
 - o **CA1** South Quayside
 - o CA2 Aldrington Basin (including Allocation Aldrington Basin)
 - CA3 North Quayside and South Portslade (including Allocation South Portslade)
 - o CA4 Portslade and Southwick Beaches
 - o CA5 Fishersgate and Southwick (including Allocation Southwick Waterfront)
 - o CA6 Harbour Mouth
 - CA7 Western Harbour Arm (including Allocation Western Harbour Arm Waterfront)

Plan Period

• Amended to 2032 in line with Adur Local Plan

Strategic Objectives

- Objective 6
 - Title changed from "flood risk management" to "flood risk and drainage"
 - Amendment was made at the request of the Environment Agency; the change was accepted as it better matches the content of the plan. The amendment has been supported by Adur District Council engineers.
- Objective 7
 - o The objective now includes reference to natural capital.
 - The amendment was made at the request of Susses Wildlife Trust and has been supported by the Environment Agency.

Factual updates

- Objectively Assessed Need (OAN) updated
- Reference to Edgeley Green removed

Area Wide Amendments

- SH1 Climate change, energy and sustainable building
 - Removed reference to BHCC Sustainable Building Design SPD as now revoked.
 Amended reference to City Plan CP8
 - Updated reference to Heat Network study to reflect new study.
- SH2 Shoreham Port
 - Background text on minerals wharves updated, and redrafted to avoid repetition and confusing structure.
- SH3 Economic and employment
 - No significant amendments
- SH4 –Housing and community
 - o Added paragraph on housing mix
- SH5 Sustainable travel
 - Background text redrafted to provide a more coherent structure. Added detail on cycling provision.
- SH6 Flood risk and sustainable drainage
 - Objective 6 has been amended to reference "drainage"
 - o Clarified position on Environment Agency/Marine Management Organisation licence
 - A licence is required for all development within 16m of river edge.
 - Setback for flood defence maintenance to be agreed with Environment Agency.
- SH7 Natural Environment, biodiversity and green infrastructure
 - Added reference to natural capital, and green infrastructure (glossary to be included)
 - o Additional reference to contaminated land, at request of EA
 - o Additional reference to waste management, at request of ESCC
- SH8 Recreation and leisure

- o Added reference to recreation facilities
- SH9 Place-making and design quality
 - o No significant amendments
- SH10 Infrastructure Requirements
 - o No significant amendments

Character Area Amendments

- **CA1** South Quayside
 - o Factual amendments on port operations
- CA2 Aldrington Basin
 - o BHCC allocations disaggregated
 - o Non-allocated employment sites to be safeguarded
 - o Reference to Ferry Wharf amended to reflect waste use
 - o Ground levels added for flood risk at request of EA.
 - o Site references updates
- CA3 North Quayside and South Portslade
 - o BHCC allocations disaggregated
 - Non-allocated employment sites to be safeguarded
 - Site references updated
- CA4 Portslade and Southwick Beaches
 - No significant changes
- CA5 Fishersgate and Southwick
 - Site levels added at request of EA
 - o Amended development requirement at Southwick Waterfront
- CA6 Harbour Mouth
 - No significant changes
- **CA7** Western Harbour Arm
 - o Reference to compensatory habitat amended at request of EA
 - o Amended housing mix
 - Added site references
 - o Amended text on acceptable building heights
 - Amended text on preserving views of heritage assets

Policy Amendments

- In general there was a large amount of repetition in character area policies (numerous character areas had policy clauses on sustainability, flood risk, green infrastructure and transport). Generic clauses have been drafted and added to area wide policies in order to simplify the plan.
- Policy SH1
 - o Amended clause (3): Where it is feasible and viable, ₽ development should seek to achieve zero-carbon status (emitting no net annual carbon emissions from regulated and unregulated energy use), in particular within the four site allocations. This will

include the use of passive design measures. Proposals must demonstrate good thermal performance and air tightness to prevent heat loss.

Policy SH3

o **Added clause (4):** "The Councils will seek agreement with developers to secure appropriate training and job opportunities for local residents".

Policy SH4

- Amended clause (2): Developers will be required to ensure that proposals deliver a
 mixed and balanced community through providing a mix of dwelling types, sizes and
 tenures in accordance with identified local needs including suitable family
 accommodation. A mix of apartments and terraced town houses would be
 appropriate across all tenures.
- Removed clause (4): Developers are encouraged to work towards the principles of Lifetime Neighbourhoods and incorporate Age-Friendly Cities features"
 - Reference remains in the BHCC City Plan but does not apply to Adur.
- Added clause (5): Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan.

Policy SH6

 Clauses on "flood defence and drainage" moved from character areas to area wide policy

Policy SH7

- Amended clause (8): "Where biodiversity impacts on biodiversity cannot be mitigated, compensatory measures actions will be required, taking account of an up-to-date ecological survey Compensatory habitat to be like for like basis based upon up to date surveys".
- Clauses on natural environment/biodiversity moved from character areas to area wide policy
- O Amended clause (10): "All development must comply with the Water Framework Directive. Development must protect surface and groundwater quality and to ensure. Only clean surface water is should be discharged into the River Adur, the Canal and groundwater. Pollution control measures will be required to deal with surface water run-off where this is discharging straight into the River Adur or the Canal, especially where waterside vehicular access is promoted".
 - Amended at request of the Environment Agency

Policy SH8

- Added clause (5): "The provision of appropriate measures to enhance watersports and other traditional coastal activities will be supported".
- Added clause (10): "The partnership will work with Natural England to support the delivery of the England Coast path through the Shoreham Harbour Regeneration Area".

Policy CA2

Amended clause (2): "The partnership will work with developers and stakeholders to deliver:

- <u>a)</u> a minimum of approximately 300 <u>90</u> new dwellings <u>(use class C3)</u> and 7,500m²
- b) a minimum of 4,500m² new B class employment floorspace (use classes B1, B2 and B8) (in combination with SS2: South Portslade) The partnership will support the redevelopment of sites to deliver high quality, modern employment floorspace, and appropriately located residential dwellings.
- c) ancillary leisure, retail and food and drink floorspace"
- Amended clause (3):
 - "Site allocations at Aldrington Basin (shown on Map 7) are:
 - a) AB1 North Basin Quay: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8). Between Hove Lagoon and the Canal an area of open space fronted by ancillary leisure, retail and food and drink uses will be supported in order to improve the connection between Hove Lagoon and the harbour.
 - b) AB2 Aldrington Marina: Allocated for new employment floorspace (use classes B1, B2 and B8)
 - c) AB3 Ferry Wharf: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8).
 - d) AB4 Kingsway/Basin Road North: Allocated for mixed use redevelopment (use classes B1 and B2 at Basin Road North level, use classes A2, B1 and ancillary A1 at Kingsway level, and use class C3 on upper storeys)".

At the basin level, plots bounded by Basin Road North, Basin Road South and the Canal (sites A, B <u>and</u> C and D on Map 8 <u>7</u>) will be <u>are</u> safeguarded for port-related and compatible employment uses (classes B1, B2 and B8).

- a) Building heights of two to three storeys are generally considered
 acceptable at the basin level. If taller buildings are proposed, care needs
 to be taken to consider sunlight impacts on other sites.
- Added clause (5): "Hove Enterprise Centre and Maritime House are safeguarded for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floorspace".
- Added clause (6):

"For sites AB1, AB2, AB3:

- a) Building heights of two to three storeys are generally considered acceptable.
- b) If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites."
- Amended clause (7):

Plots between Basin Road North and Kingsway (site D E on Map 8 **Z**) will be released for mixed-use redevelopment (B1 and B2 at Basin Road North level, A1, A2 and B1 at Kingsway level, and C3 on upper storeys).

For site AB4:

- a) Building heights should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts and apply high quality design principles. Building heights of up to four storeys above Kingsway and six storeys above Basin Road North are considered acceptable subject to high quality design and being suitably orientated to accommodate generous views between new buildings. Development shall not exceed the height of the nearby Vega apartment building and care needs to be taken to consider sunlight impacts on other sites.
- b) Development should maintain a sense of openness and promote views through to the harbour wherever possible. The scale of development should provide a positive impact on the street environment along Kingsway.
- c) Development should provide an attractive character along the A259 and contribute towards the street scene. Residential development will need to demonstrate compatibility with employment uses at the basin level below in order to prevent future conflicts arising.

Policy CA3

Amended clause (3):

"The partnership will work with developers and stakeholders to deliver:

- <u>a minimum of approximately 300 210</u> new <u>residential</u> dwellings <u>(use class C3) and 7,500m²</u>
- b) a minimum of 3,000m² new B class employment floorspace (use classes B1, B2 and B8) (in combination with SS1: Aldrington Basin). The partnership will support the redevelopment of sites to deliver high quality, modern employment floorspace and appropriately located residential dwellings.
- c) ancillary leisure uses"
- Amended clause (4):

Site allocations at South Portslade (shown on Map 8) are:

- a) <u>SP1 Prestwich House (and adjoining): Allocated for mixed use</u> redevelopment (use class B1 on lower storeys and use class C3 on upper storeys)
- b) <u>SP2 Former Belgrave Centre (and adjoining): Allocated for residential development (use class C3)</u>

- c) <u>SP3 Wellington House: Allocated for residential development (use class C3)</u>
- d) <u>SP4 Regency House: Allocated for mixed use development (use class B1 on lower storeys and use class C3 on upper storeys)</u>
- e) SP5 Former Flexer Sacks: Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys. Associated leisure and assembly (use class D) uses may be permitted provided they are demonstrated to be compatible with residential and employment uses in the vicinity.
- f) SP6 Church Road/Wellington Road/ St Peter's Road: The southern portion of the site is allocated for new employment development (use classes B1, B2 and B3). Employment uses must be compatible with adjacent residential development. As part of a comprehensive redevelopment, residential development is acceptable on the northern portion of the site, fronting onto St Peter's Road.
- g) SP7 Station Road: Allocated for mixed use redevelopment (use classes A1, A2, A3 and B1 fronting Station Road and use class C3 to the rear and on upper storeys)

Site A is released for mixed-use redevelopment. Wellington House, Tthe Belgrave Day Centre and adjacent equipment store are suitable for residential development (class C3). The remainder of site A is suitable for mixed use development - employment (class B1) on the lower storeys, and residential (class C3) on upper storeys.

- a) Building heights of four to six storeys are generally considered acceptable. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.
- b) Proposals for development at the far eastern boundary of the site need to be mindful of impacting access to daylight on the rear of adjacent properties on Station Road. Building heights of three to four storeys are generally considered acceptable.
- c) Buildings fronting Wellington Road must be set back beyond the proposed green corridor.
- Added clause (5): "South Portslade Industrial Estate (as shown on Map 8) is safeguarded for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises.
 The council will resist proposals for change of use to other types of floorspace".

Policy CA5

Amended clause (3):

The partnership will work with developers and stakeholders to deliver the reconfiguration of Lady Bee Marina. This will include:

• Improved marina facilities, expanded berthing capacity and waterside leisure provision, including a new slipway, utilising canal edge water space to the east

- Complimentary waterside facilities and attractions, such as an expanded chandlery, café/bar and public conveniences
- Possible location for a youth sailing centre.
 - Amendment is in response to the SPA pursuing a different scheme

Policy CA7

- o Amended clause (6): Building heights of up to five storeys are generally considered acceptable on the Brighton Road and River Adur frontages. Away from these frontages, greater storey heights may be acceptable within deeper sites. At sites WH1 and WH2, the setting of Kingston Buci lighthouse must be considered if development over 3 storeys is proposed. At sites WH2, WH3, WH4 and WH5 views from the coast at Shoreham Beach to the South Downs must be retained.
- Amended clause (7):

Proposals for individual <u>Taller</u> buildings <u>may be considered in the centre of the allocation (western portion of site WH3, site WH4 and eastern portion of site <u>WH5).Proposals</u> above a threshold of five storeys will be required to demonstrate an appropriate response and high quality design in relation to the following elements:</u>

- Scale and height
- Architectural detailing
- Materials
- Public realm and open space
- Public transport accessibility
- Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks, the South Downs National Park, conservation areas, and historic assets
- Microclimate impacts including wind, daylight and sunlight effects, air pollution and urban heat island effects.
- Amended clause (10): "A setback from the waterfront is safeguarded to enable the delivery of a waterfront pedestrian and cycle route between Shoreham-by-Sea town centre and Kingston Beach. Developments should be sufficiently set back from the riverside (at least 8m from harbour wall to building) to incorporate the new waterfront route. The setback may also be required for flood defence maintenance requirements. Set back distance should be discussed and agreed with the Environment Agency."
- o Added clause (12): "Prior consent is required for any works in, under or over the River Adur Tidal, a classified 'main river' under the jurisdiction of the Environment Agency, and subject to its byelaws, or within 16metres of the landward toe".

Please note: These amendments are subject to appropriate approvals at each of the partner authorities:

Adur:

- Planning Committee 18 September 2017
- Joint Strategic Committee 10 October 2017
- Council 2 November 2017

Brighton & Hove:

- Tourism, Development and Culture Committee 21 September 2017
- Council 2 November 2017 (Provisional date)

West Sussex:

- Cabinet Member decision September 2017
- Council 20 October 2017

This will be followed by publication of the plan from 10 November 2017 to 22 December 2017, subject to approval.

After publication, the plan will be prepared for submission to the Planning Inspectorate. This will include any proposed modifications arising from the publication of the plan.

b. <u>BHCC Policies Map Amendments:</u>

Adopted Policies Map	Proposed Amendments
Title: "Adopted Brighton &	Title: amend to read "Adopted Brighton & Hove City Plan Part 1
Hove City Plan Part 1 Policies	Policies Map – West 2016 & Proposed Shoreham Harbour Joint
Map – West 2016"	Area Plan 2017"
	Key: amend by adding "JAAP – proposed submission Shoreham
	Harbour Joint Area Action Plan" and "WMSP – Waste and Minerals
	Sites Plan 2017" under BHLP and CPP1
Key: includes "Character Areas	Key: amend to read "Character Areas – DA8 (CPP1) / JAAP"
indicative – DA8(CPP1)"	Map: update boundaries to accord with JAAP Map 3 and amend
Map: boundary of indicative	the current policy references to the following:
areas shown with red dots	CA1
	CA2
	CA3
	CA4
Key: includes "Strategic	Key: amend to read "Strategic Allocations (CPP1) / (JAAP)"
Allocations (CPP1)"	Map: add the site boundaries of the strategic allocations and mark
	with policy references as follows:
	AB1
	AB2
	AB3
	AB4
	SP1
	SP2
	SP3

	SP4
	SP5
	SP6
	SP7
	Insert additional key to provide clarity over the Character Areas and how they are referenced in the JAAP and City Plan respectively and where to find the strategic allocation within JAAP policy ie: Character Area/JAAP ref/CPP1 ref - South Quayside/CA1/DA8.B.i; - Aldrington Basin/CA2 & AB/ DA8.B.ii; - North Quayside and South Portslade/CA3 & SP/ DA8.B.iii; - Portslade and Southwick Beaches/CA4/DA8.B.iv Strategic Allocation/JAAP policy criterion: AB1: CA2.3.a AB2: CA2.3.b AB3: CA2.3.c AB4: CA2.3.d SP1: CA3.4.a SP2: CA3.4.b
	SP3: CA3.4.c
	SP4: CA3.4.d
	SP5: CA3.4.e
	SP6: CA3.4.f
	SP7: CA3.4.g
Key: includes "Key employment	Key: amend key by deleting "Key employment site – DA8"
site – DA8"	Map: Remove this site from the map
Key: includes "Protected	Key: amend to read "Protected Employment Site – CP3(3) (CPP1) /
Employment Site – CP3(3)	CA3(5) (JAAP)"
(CPP1)"	Map: include the areas shown on the JAAP maps 7 and 8 that have
	a purple vertical hatch.
	Key: amend by adding "Port (operational) - SH2(2), CA1(1), CA2(4) & CA3 (1) (JAAP)"
	Map: add the areas safeguarded for port operational uses as
	shown in the JAAP.
	Key: amend by adding "Green Corridor - SH7(2), CA2(9), CA3(11) (JAAP)"
	Map: add the green corridor as shown on JAAP maps 7 and 8.
	Key: amend by adding "New/upgraded Port Access Road
	CA2(11)(JAAP)"
	Map: add the port access road as shown on JAAP maps 7 and 8.
	Key: amend by adding "Safeguarded Wharf Area (WMSP)"
	Map: add the safeguarded Wharf area on the map as shown in the
	Waste and Minerals Sites Plan which was adopted in February
	2017 and referenced in the JAAP.
	Key: amend by adding "Safeguarded Waste Site (WMSP)"
	Map: add the safeguarded waste site on the map as shown in the
	Waste and Minerals Sites Plan which was adopted in February
	2017 and referenced in the JAAP.

Other Character Areas within Shoreham Harbour JAAP and Key Proposals

CA1 – South Quayside (within Adur and Brighton & Hove)

South Quayside is mostly a port-operational area but also includes a waste water treatment works, power stations and renewable energy generation. The JAAP seeks to safeguard these uses and improve the port facilities.

CA4 – Portslade and Southwick Beaches (within Adur and Brighton & Hove) Access to Portslade and Southwick Beaches for pedestrians and cyclist will be improved. Habitats and biodiversity will be created and protected.

CA5 – Fishersgate and Southwick (within Adur)

Fishersgate and Southwick include a mixture of port operations, employment space, residential areas and green space.

The JAAP seeks to safeguard and improve the port facilities, seeks green space improvements to create wildlife corridors/linear open spaces and supports improvements to the existing housing estates, including the retrofit of energy efficiency measures. It includes a development allocation at Southwick Waterfront, which will deliver a minimum of 4,000m2 employment generating floorspace. Lady Bee Marina will be expanded and improved.

CA6 – Harbour Mouth (within Adur)

Harbour Mouth includes port-operational areas, existing housing and employment space, and Kingston Beach. The area includes the historic buildings of Kingston Buci lighthouse and Shoreham Fort.

The JAAP seeks to safeguard and improve the port operational areas and seeks the protection of the historic buildings.

CA7 – Western Harbour Arm (within Adur)

Western Harbour Arm is predominantly an employment area.

The JAAP includes a proposed development allocation at Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes and 12,000sqm employment generating floorspace.

New flood defences will be built. A new waterfront route will improve connections for pedestrians and cyclists between Shoreham-by-Sea town centre and Kingston Beach. Habitats and biodiversity will be created and protected.

SUMMARY OF REPRESENTATIONS TO THE REVISED DRAFT SHOREHAM HARBOUR JAAP

Issue Raised	Support	Object
Biodiversity	11	Object
Open Space	5	
Green Corridor	9	
Green Infrastructure (GI)	11	2
	7	
District Heating	2	1 1
Renewable Energy Light Pollution	2	1
Underwater noise		
Noise		1
		5
Air Pollution		4
Congestion	-	6
Reduced HGV Traffic	5	
Port Access Road	5	1
New Train Lines	1	
Trains	3	
Bus Transit	2	
Footpaths	9	
Cycle Routes	13	
Minimum Parking Requirement		1
Additional Parking	3	
Waterfront Route	15	
Waterfront Route Setback		2
Waterfront Access	6	
Surfing/Water Sports	9	
Improved Leisure Facilities	5	
Improved Community Infrastructure	4	
Slipways		1
Impact On Heritage Assets		1
Flood Defences	6	
Improved Water Quality	12	
Sustainable Urban Drainage (Suds)	2	
Water Efficiency	1	1
Policy On Wastewater	1	
Minerals	10	
Revoking Hazardous Substances Consent	1	
Land Remediation	1	
Land Use Allocations	5	8
Temporary Consent	2	
Density	2	2
Housing	8	3
Affordable Housing	2	1
Employment	7	
Minimum Employment Units		1
New Retail/Eateries	3	
Building Height	3	6
Setbacks A259	2	3
Good Quality Design	7	
Layout of Plan	1	3
Layout of Flair	1	J

Council	Agenda Item 37
2 nd November 2017	Brighton & Hove City Council

Subject: Code of Conduct for Employees:

Extract from the proceedings of the Audit &

Standards Committee Meeting

Date of Meeting: 2 November 2017

Report of: Executive Lead for Strategy, Governance & Law

Contact Officer: Name: John Peel Tel: 01273 291058

E-mail: john.peel@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

Action Required of Council

That Full Council approve the revised Code of Conduct for Employees

Recommendation:

That Full Council approve the revised Code of Conduct for Employees as set out in Appendix 1 to the report.

BRIGHTON & HOVE CITY COUNCIL

AUDIT & STANDARDS COMMITTEE

4.00pm 19 SEPTEMBER 2017

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Miller (Chair) Robins (Group Spokesperson), Sykes (Group

Spokesperson), Cattell, Cobb, Greenbaum and Lewry.

PART ONE

28 CODE OF CONDUCT FOR EMPLOYEES

- 28.1 The Committee considered a report of the Head of Law & Monitoring Officer that sought approval for a number of amendments to the council's Code of Conduct for Employees.
- 28.2 Councillor Cobb stated the report was a thorough update, noting that the Code of Conduct for Employees had last been updated in 2013. Councillor Cobb asked if the updates were prompted by the staff disciplinary issues found by Internal Audit in 2013.
- 28.3 The Principal Audit Manager confirmed that part of the update to the Code of Conduct did relate to work undertaken by Internal Audit but also linked to the staff behaviour framework and other policies initiated since 2013.
- 28.4 The Chair noted that the council's recognised Trade Unions had been consulted on the proposed changes and asked if any feedback had been received.
- 28.5 The Senior Lawyer confirmed that the council's recognised Trade Unions had provided input in a meaningful way and had not raised any substantive objections as far as she was aware.

28.6 RESOLVED-

That the Audit & Standards Committee:

- 1) Agree the council's revised Code of Conduct for Employees as set out in Appendix 1.
- 2) Resolve to recommend the Code to Full Council for approval.

That Full Council:

1) Approve the revised Code of Conduct for Employees as set out in Appendix 1

Council	Agenda Item 37
2 nd November 2017	Brighton & Hove City Council

Subject: Code of Conduct for Employees

D0ate of Meeting: 2 November 2017

19 September 2017 – Audit & Standards Committee

Report of: Head of Law & Monitoring Officer

Contact Officer: Name: Abraham Ghebre-Ghiorghis Tel: 01273 291500

Email: Abraham.ghebre-ghiorghis@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 this Committee's approval for a number of amendments to the council's Code of Conduct for Employees.
- 1.2 These amendments have been made in response to:
 - recommendations made by Internal Audit
 - the introduction of the new staff Behaviour Framework designed to underpin the council's Values and
 - the implementation of a number of new corporate council policies.

2. **RECOMMENDATIONS:**

That the Audit & Standards Committee:

- 2.1 Agree the council's revised Code of Conduct for Employees as set out in Appendix 1.
- 2.2 Resolve to recommend the Code to Full Council for approval.

That Full Council:

2.1 Approve the revised Code of Conduct for Employees as set out in Appendix 1

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The council's Code of Conduct for Employees forms part of the council's Constitution and is a key part of the organisation's corporate governance arrangements. It is periodically reviewed to ensure it remains up-to-date and fit for purpose and was last amended in 2013.
- 3.2 The recent review was prompted by:

- revisions to a number of key corporate policies aimed at strengthening the organisation's corporate governance arrangements
- the need to respond to several recommendations made by internal audit relating to the declaration of interests, gifts and hospitality by staff and
- the introduction of the new Behaviour Framework for staff.
- 3.3 As a result, a number of new sections have been added to the Code. These are:
 - Close personal relationships at work
 - Personal conduct
 - Equality & diversity
 - Information Governance & Use of ICT
 - · Reporting criminal offences and
 - Legacies.
- 3.4 The proposed Code of Conduct for Employees is set out in Appendix 1, with amendments noted as tracked changes.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 There are no alternative options for the Committee to consider. Members of the public are entitled to expect the highest standards of conduct from all employees who work for the council. However, this can only be ensured if the organisation has a Code of Conduct for staff that is relevant and fit for purpose.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The council's recognised Trade Unions, Unison and GMB, have been consulted on the proposed changes to the Code.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

6.1 It is not expected that the revised Code of Conduct will have any direct financial implications for the council.

Finance Officer Consulted: Peter Francis Date: 17/08/2017

Legal Implications:

6.2 The changes to the council's Constitution which are described in this report must first be considered by Audit & Standards Committee (in accordance with the terms of its delegated powers) and then referred to Full Council for approval (Article 13.03 of the Constitution refers). This requirement is reflected in the recommendations above.

Lawyer Consulted: Victoria Simpson Date: 25/07/2017

	Equalities Implications:
6.3	There are no specific equalities implications arising from this report.
	Sustainability Implications:
6.4	None
	Any Other Significant Implications:
6.5	There are no other significant implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

1. Proposed Code of Conduct for Employees.

Documents in Members' Rooms

None.

Background Documents

None.

CODE OF CONDUCT FOR EMPLOYEES

Please take time to read this Code and make sure that you understand it. If you are unclear or want to know something specific, talk to your manager or your human resources division Human Resources.

Introduction

You are employed by Brighton & Hove City Council and that means that you are a Local Government Officer. You and the services you provide are paid for by public money and therefore you are accountable to the public for your behaviour, actions and decisions. You must not only behave properly, you should also be seen to behave in a way that is beyond question.

The Council recognises that working in a public service is not easy. Every area is changing and it may be unclear to you what is acceptable and what is not. This Code is intended to explain your responsibilities and your rights as an officer.

As a council officer you are expected to achieve your personal best for our customers and for the city. To ensure that you understand what this means, the council has adopted six values that describe what you should aim to accomplish in the way you carry out your job. These are:

- Respect: Embrace diversity with kindness and consideration and recognise the value of everyone
- **Collaboration**: Work together and contribute to the creation of helpful and successful teams and partnerships across the council and beyond
- **Efficiency:** Work in a way that makes the best and most sustainable use of our resources, always looking at alternative ways of getting stuff done and asking, 'How can I improve that?'
- Openness: Share and communicate with honesty about our service and self, whenever appropriate. Accept where we have to change in order to improve
- **Creativity**: Have ideas that challenge the 'tried and tested', use evidence of what works, listen to feedback and come up with different solutions
- Customer Focus: Adopt our 'Customer Promise' to colleagues, partners, members and customers. We will be easy to reach, be clear and treat you with respect, listen and act to get things done

This Code of Conduct underpins and the council's Behaviour Framework underpin these six organisational values by setting out- in more detail the standards of behaviour expected of you as an officer whilst you are carrying

out your duties. There are other Codes which are important for you to understand and which you should read alongside this one:

The Code of Conduct for Member-Officer Relations

This deals with the relationship between you and Members of the Council (Councillors)

The Code of Conduct for Members

A local code setting out standards of conduct and behaviour for Members of the Council

The Whistleblowing Policy

This sets out a procedure for you to report actions, wrongdoings or serious failures

The Complaints Procedure

A procedure for members of the public to complain about services or actions of the Council

The Anti-fraud and Corruption

-Counter-Fraud Strategy & Framework

The Council's commitment to fighting fraud and corruption whether attempted from outside or inside the Council.

This sets out the council's commitment to creating a zero tolerance to fraud and maintaining high ethical standards in its administration of public funds. The policies and procedures within the framework set out the roles and responsibilities of staff in countering fraud and how they can report concerns.

The Acceptable Use of ICT Policy -Information Governance Policies

A policy which sets the parameters for the appropriate work and personal use of Information and Communications Technology.

A suite of policies, procedures and processes that govern how the council manages its information so that it complies with its legal, regulatory and operational requirements. They set out employees' personal responsibilities, particularly in relation to the use of ICT and the processing and safeguarding of information.

The Social Networking Policy for Employees

A policy which governs the use of social media in both the work and personal use contexts.

Scope

This Code of Conduct applies to you if you are an employee of Brighton & Hove City Council, whether employed on a permanent, temporary or casual basis, or if you are an officer holder. All officers must follow this Code. Deliberate breaches of the Code will be treated as a disciplinary offence. In some cases a breach of the Code may result in criminal prosecution. This code contains the following:

Section 1	Basic principles/definitions
Section 2	Political neutrality/activity/restricted posts
Section 3	Council policies and legal requirements
Section 4	Outside commitments/Working Time
	Directive/declaration of interests
Section 5	Membership of closed organisations
Section 6	Tendering/dealing with contractors
Section 7	Using your position in the council
	Close personal relationships at work
Section 8	Personal conduct
Section 9	Equality and diversity
Section 10	Corruption, fraud and dishonesty————
Section 9 11	Use of council facilities/resources————
Section 10 12	Information Governance & Use of ICT
Section 44 13	Reporting of criminal offences
Section 14	<u>Legacies</u>
Section 15	Inventions/patents/copyright etc/_/conferences—
Section 12 16	Appointing staff/discipline & grievance ———
Section 13 17	Gifts ———
Section 1418	Hospitality ————————————————————————————————————
Section 15 <u>19</u>	Sponsorship, giving or receiving
Section 16 20	Information, openness and confidentiality———
	<u> </u>
Section 17 21	Financial resources/regulations————
Section 18 <u>22</u>	Role of the Monitoring Officer—————
Section 19 <u>23</u>	Raising concerns————————————————————————————————————
Section 20 <u>24</u>	Responding to complaints
Section 21 25	Useful information————

Basic principles & definitions

- 1.1 The basic principles on which this Code is built are that:
 - you, your family <u>and/</u>or your friends must not gain financial or other benefits from the decisions or actions you take whilst working for the Council
 - you must make decisions, which are in the Council's best interests and must award contracts and choose purchases and award contracts on merit and in the best interests of accordance with the CouncilCouncil's policies and procedures

- you will not accept money or other benefits from individuals or organisations that may, or may be seen to, influence your decisions
- you should always declare any interests you have outside work that relate to your work for the Council. You must always think how your actions would look to the residents of Brighton & Hove. Would they be seen to be in the best interests of the public? Would you be able to explain your role?
- 1.2 If you are at all uncertain, you should be guided by the key principle that even if your actions, decisions or behaviour are proper, you are still sure need to ensure that you are above suspicion and any there is no appearance of improper conduct.
- 1.3 If you are unsure what is expected, you can should raise the matter with your manager, Executive Director, the Chief Executive, the Head of Human Resources & Organisational Development, the Council's Monitoring Officer or the Head of Internal Audit & Business Risk. (A list of contact numbers is given at the back of this Code.)

Definitions

- 1.4 Throughout this Code there are references to partners, close friends, relatives, and close personal relationships.
- 1.5 All of these are in the context of you having a loyalty to another person that is in conflict with the job or action in which you are involved for the Council.
- 1.6 There is no formal definition of 'close personal friend' or and the term "partner" may include whether partner includes ex-partners with whom you are still friends.
- 4.61.7 It is your responsibility to act openly, honestly and without bias. You must assess if whether a relationship may cause you to act, or be seen to act, inappropriately.
- 4.71.8 This Code is not an exclusive exhaustive or definitive list and is not a substitute for employees applying common sense when determining what is and what is not acceptable behaviour.

2. Political neutrality

2.1 As an officer you work for the Council as a whole and not just the majority (or leading) group. Although most staff will have very little direct contact with Councillors, some staff will be asked to give advice to individuals or to Committees. This must always be done in a politically neutral way and you must be prepared to explain your advice to all political groups. You should also bear in mind that you may be

- called <u>upon</u> to <u>explain your account for your</u> advice. for example to an everview and scrutiny committee.
- 2.2 You should also refrain from making political comments in public or on social media.
- Once a policy has been approved through the whether by a Committee or by Full Council stages as appropriate, it is a lawful policy of the whole Council and must be adopted by you, regardless of your beliefs. You must not allow your personal or political opinions to interfere with your work. If you believe that a policy is unlawful, you should contact your Executive Director or the Monitoring Officer.
- 2.34 If you are asked by a Councillor to provide assistance on a matter that you feel is clearly political, or which does not have a clear link with the work of the Council, you should seek the advice of your Executive Director or the Monitoring Officer.
- 2.45 If you are asked to attend any meetings of any political group of the Council, you should consult your Executive Director before accepting the invitation.

Political activity

2.56 You are not eligible to stand for office as a Councillor of Brighton & Hove City Council, but you may stand for office of in another Council providing you are not in a politically restricted post (see paragraph below).

Politically restricted posts

- 2.67 Some officers, normally those in more senior positions, are in posts where political activity is restricted through the Local Government and Housing Act 1989. This Act prevents them from taking part in certain political activities outside their work. If this applies to you, you should have been informed in writing, although and it may be included in your statement of terms and conditions contract of employment. You should, if this is the case, have been informed of the rules for claiming exemption. If you are not sure about your position, you should contact your manager or Human Resources.
- 2.78 The political activities which are restricted for these officers include:
 - standing as a Member of Parliament, Member of the European Parliament or a Councillor in any local authority (other than a Parish Council)
 - holding office in a political party at any level, (except in limited roles concerned only with the internal membership of the party)
 - canvassing at elections

- speaking in public or publishing any written or artistic work which appears to be intended to influence public support for a political party.
- 2.82.9 You need to be aware of your position in terms of political activity. If you are not sure whether an activity is subject to 'political activity restrictions', you should seek advice from your Executive Director or Head of Human Resources & Organisational Development, who will consult the Monitoring Officer if necessary.
 - 2.92.10 Violation of the statutory rules is a breach of contract and will render you liable for investigation under the Council's Disciplinary Procedure.

3. Council policies and legal requirements

- 3.1 As a Council officer, you must know ensure you are familiar with the legal or statutory requirements of your job, and. You must work within this framework and generally in such a way as to comply with the Council's policies and procedures at all times.
- 3.2 All members of the local community, service users and officers have the right to be treated fairly and impartially. As a Council officer you must comply with all Council policies relating to equalities issues and to the other requirements of the law- (see also section 9 of this Code).

4. Outside commitments/ Working Time Directive and declaration of interests

- 4.1 Your first work commitment is to the Council. If your job is graded at Scale SO1 (or its equivalent) or above, you should not engage in any other business or take up an additional appointment without written permission from your manager. If you are allowed to undertake work outside the Council, you must not use the Council's facilities for that work.
- 4.2 The Council is required to take all reasonable steps to ensure that workers do not exceed the maximum hours per week. The statutory maximum hours per week [as laid down by the Working Time Directive] is an average of 48 hours over a 17 week period, extended in certain circumstances to a 26 or 52 week period. Whatever your grade or position, the Council has a responsibility to ensure that you do not exceed the statutory maximum hours per week. If you have, at the time of appointment, or subsequently obtain, other employment you should declare this to your immediate manager. Normally, the Council will not seek to prevent you from working more than the statutory maximum but it will want you to confirm, in writing, that this your choice.

- 4.3 In addition to the statutory maximum, if you are above school leaving age but under 18 years and working a total of 4.5 hours per day or more you are required to have a 30 minute break during that time. This applies whether you work only for the Council or for several different employers. If you are a young person with more than one job which adds up to 4.5 hours per day or more you should also inform your manager.
- 4.4 If you are 18 years of age or over, you are entitled to have a 20 minute break for every working shift lasting 6 hours or more per day.

Declaration of personal / business interests: conflict of interests

- 4.5 You must declare to your manager any financial and non-financial interests that you consider could bring you into conflict with the Council's interests. Conflict may occur where the Council has entered into (or is going to enter into) a contract in which you, your partner or a relative has a financial interest. You may have a financial interest if, for example, you could: Some examples are given below but these should not be viewed as the only circumstances in which you must declare a conflict of interest.
- 4.6 Conflicts may occur where the Council has entered into (or is considering entering into) a contract in which you, your partner or a relative has a financial interest. You may have a financial interest if, for example, you may:
 - receive money or goods
 - have value added to a property
 - benefit from an increase in share value.
- 4.67 If you have shares in a privatised utility, such as British Gas, with which the Council will have dealings, you will not normally need to declare this involvement. It is ultimately a question of degree. You would be expected to declare any large shareholdings you may have in a company coming into contact with the Council.
- 4.78 A conflict of interest may also arise when you have a direct interest in the outcome of a Council decision. If this is the case, then in order to protect yourself from any appearance of improper conduct you should inform your manager immediately that you are aware of the situation.
- 4.89 Conflicts of interest may occur in a number of circumstances. You should, for example, declare your involvement with an organisation which is grant aided by the Council. if you have any part in the grant process.
- 4.910 You should also declare any involvement with an organisation or pressure group which may seek to influence the Council's policies.

- 4.1011 If you are not sure whether you should declare such an interest and wish to discuss the matter in confidence, the Monitoring Officer or Head of Human Resources & Organisational Development can offer advice.
- 4.4112 Although you can be offered advice about declaring interests, it is ultimately your responsibility: if you are not sure, then it is always best to declare an interest. Declared interests are kept on registers of interests. It is important to remember that declaring an interest does not imply that you may act improperly, but that it could protect you from claims or the potential appearance of impropriety.

Note 1: The form on which declarations Declarations of interest should be made ex

<u>Declarations</u> of interest should be made <u>can be found on on</u>
<u>PIER via Employee Self Service. Employees without an online</u>
<u>PIER account should use</u> the <u>Council'spaper form on the</u>
council's intranet.

Note 2: Some groups of staff are required to make a declaration of interests annually even if it is a nil return. You will be notified if this applies to you.

5. Membership of non-open / closed organisations

5.1 You must declare in the registers of interests membership of any organisation not open to the public without formal membership and commitment of allegiance, and that has secrecy about rules or membership or conduct. This includes membership of organisations such as the freemasons. Declaration of such membership is required in order to avoid allegations of conflict between an officer's job and their personal interests and allegiances.

6. Tendering / dealing with contractors

- Orders and contracts must be awarded on merit by fair competition against other tenders and in accordance with the Council's Standing Orders. You must not show favouritism to any contractor. You must also make sure that no special favour is shown to current or recent former employers, officers or their partners, close relatives or associates in awarding contracts.
- 6.2 If you are involved in the tendering process and deal with contractors, you must be clear about the need for the separation of client and contractor roles. You must also make sure that, if you are privy to confidential information on tenders or costs for either internal or external contractors, you do not disclose such information to any unauthorised party or organisation.

6.3 If, as part of your job, you are involved with or supervise contractors, and you have any kind of personal or other relationship with a contractor or potential contractor, the law states that you must disclose this relationship. Any such relationships should be disclosed to your manager and entered in the register of interests.

7. Close Personal Relationships at Work

- 7.1 You are entitled to expect fair and reasonable treatment by your colleagues, managers and Councillors. If you feel that you have been unfairly treated, discriminated against or harassed, you have the right to raise a complaint with the council.
- 7.2 In the same way, you are required to treat your colleagues and staff fairly. Not only is it a criminal offence to harass another person on any grounds, it is also a disciplinary offence in the Council.
- 7.3 You should not cause any person harassment, alarm or distress by using threatening, abusive or insulting language or disorderly behaviour, or by displaying any writing or signs, drawings, posters etc. which are threatening, abusive or insulting.
- 7.4 You are also entitled to be treated with respect by clients, service users and members of the public. If you feel that their behaviour is unreasonable in the circumstances, you are entitled to terminate the contact, providing that you do so without further antagonising the situation and that you give notice of your intention. You must always report such actions to your manager and make a record of the incident.
- 7.5 It is your responsibility to act reasonably and fairly.
- 7.1 This section should be read in conjunction with sections 4 and 16 of this Code.
- 7.2 A close personal relationship is defined as a:
 - close personal friendship (i.e. a relationship going beyond that normally found between work colleagues)
 - family relationship
 - partner, ex-partner or
 - someone with whom you are involved in a romantic/sexual relationship
- 7.3 The council acknowledges that such relationships can exist, or form, at work. Although in the majority of cases these are unlikely to give rise to any issues, the council recognises that in some cases there is the potential for a conflict of interest to arise. Some of the potential problems that can arise from close personal relationships at work include:

- actual or perceived breaches of confidentiality
- accusations or perceptions of bias, favouritism, prejudice, unprofessionalism or unfairness
- lack of trust and confidence in relation to discussions within a team or with a line manager
- a risk to probity or the divulgence of confidential information
- deterioration in work performance

This is not an exhaustive list.

Employee responsibilities

- As an employee, you have a personal responsibility to declare promptly any personal relationships you have, or form, with others, during the course of your employment so that appropriate action can be taken to minimise the risk of potential conflicts of interest arising. You must declare all close personal relationships regardless of whether or not you see a potential conflict of interest arising as a result of your relationship.
- 7.5 The declaration should be made to your line manager. or If that individual is the person with whom you have the close personal relationship, you should make the declaration to the manager above them and in any case you are expected to do so promptly.

Manager responsibilities

- 7.6 Managers are responsible for reviewing all declarations made by their staff and for taking appropriate action to prevent any problems arising as a result of close personal relationships at work.
- 7.7 In most cases, it will not be necessary to move one of the employees to another work area unless there are specific circumstances which make such a change appropriate.
- 7.8 Where the individuals concerned are in a line management relationship, an alternative manager should be nominated to line manage the subordinate employee in all aspects of their employment.
- 7.9 Alternative management arrangements should also be put in place where a new member of staff is recruited who would normally be managed by, or who will manage, a relative or someone with whom they have a close personal relationship.
- 7.10 Further information and how to register a relationship is available on the council's intranet, The Wave.

8. Personal Conduct

- 8.1 You are expected to behave in a professional, friendly and respectful manner in line with the organisation's Values when dealing with colleagues, councillors, service users, contractors or those working for other organisations with whom the council has dealings.
- 8.2 To help you do this, the council has adopted a Behaviour Framework which sets out the desired behaviours it expects its staff to personally model when carrying out their job. You should familiarise yourself with the framework so that you understand what is expected of you.

9. Equality and diversity

- 9.1 The council is committed to increasing equality, opportunities and fairness inside our organisation, across our services and in the city, and to eliminating discrimination.
- 9.2 As an employee, you have both legal duties and personal responsibilities in relation to equality and you are expected to play an active part in making sure the council delivers the desired equality and diversity outcomes set out in its Equality & Inclusion Policy Statement & Strategy.
- 9.3 You are responsible for acquainting yourself with the Equality & Inclusion Policy Statement & Strategy so that you are aware of the council's legal equality duties, its commitments in relation to equality and diversity and what this means in practice for you in your role.
- 9.4 You must treat all colleagues, councillors, service users and residents fairly and with dignity and respect at all times whilst responding positively and appropriately to meet diverse needs.
- 9.5 Similarly, you are also entitled to be treated fairly and with respect by all those with whom you come into contact in your day-to-day work.
- 9.6 If you feel that you have been unfairly treated, <u>bullied</u>, <u>harassed or</u> discriminated against or harassed, <u>you have the right to by another member of staff</u>, you should refer to the <u>Dignity & Respect at Work Policy and guidance that will explain how you can raise a complaint.</u> with the council.
- 9.7 If you experience such behaviour from someone not employed by the council e.g. a service user, resident or member of the public, you should notify your manager immediately so that the incident can be recorded and appropriate action taken.

- 9.8 The council will not tolerate any form of bullying, harassment or discriminatory behaviour carried out by, or against, any member of its staff. Allegations of such behaviour by a member of staff will be investigated under the Disciplinary Procedure and, where substantiated, could lead to instant dismissal. In certain circumstances, it could also lead to criminal proceedings.
- 7.2 In the same way, you are required to treat your colleagues and staff fairly. Not only is it a criminal offence to harass another person on any grounds, it is also a disciplinary offence in the Council.
- 7.3 You should not cause any person harassment, alarm or distress by using threatening, abusive or insulting language or disorderly behaviour, or by displaying any writing or signs, drawings, posters etc. which are threatening, abusive or insulting.
- 7.4 You are also entitled to be treated with respect by clients, service users and members of the public. If you feel that their behaviour is unreasonable in the circumstances, you are entitled to terminate the contact, providing that you do so without further antagonising the situation and that you give notice of your intention. You must always report such actions to your manager and make a record of the incident.
- 7.5 It is your responsibility to act reasonably and fairly.

8.10 Corruption

- 108.1 It is important that you are aware that it is a serious criminal offence for you to-corruptly receive or give any gift, loan, fee, reward or advantage for doing (or not doing) anything or showing favour or disfavour to any person in the course of your work with the Council.
- 10.8.2 Under the Bribery Act 2010 it is an offence to request, agree to receive or accept a financial or other advantage intending that a relevant function or activity should be performed improperly as a result.

11. Use of Council facilities

- 911.1 You should only use Council facilities [such as accommodation, transport, stationery, postal service, ictICT etc.] provided by the Council for your use in your duties as an officer to carry out those duties and for no other purpose. In exceptional circumstances your manager may give you permission to use Council facilities but you should always obtain this authority prior to use.
- 911.2 Telephones, both static and mobile, can be used for short urgent calls, for example in an emergency or to book a doctor's appointment.

 Telephones should not be used to give or receive personal calls which are not urgent.

911.3 The cost of any personal call made on a Council mobile phone must be repaid, regardless of whether it is within the agreed 'free time'. (To avoid mobile phones becoming a personal taxable benefit, you should repay the cost plus 5 %.)

10.12. Information Governance & Use of ICT

- the use of computers, emailcouncil must be able to exploit fully in order to function effectively. It is essential therefore that the confidentiality, availability and internet facilities integrity of that information is appropriately protected.
- 12.2 The council has a suite of policies, procedures and processes that govern how it manages its information so that, as an organisation, it can comply with its legal, regulatory and operational requirements.
- 12.3 You have a personal responsibility to ensure that you make an active contribution towards the council meeting these legal obligations including complying with the Data Protection Act 1998 and the General Data Protection Regulations (GDPR) [effective from May 2018] when processing personal data as part of your job.
- 12.4 You must therefore make sure that you familiarise yourself with, understand and comply with the council's Information Governance

 Policies and any procedures applicable to your specific job role. This includes undertaking relevant mandatory Information Governance training.
- 12.5 Failure to comply with these policies, procedures and processes is likely to lead to disciplinary action including the possibility of dismissal. In certain circumstances failure to comply with the Data Protection Act 1998 may result in you being personally liable for non-compliance.

13. Reporting of Criminal Offences

- 13.1 As an employee of the council, you are expected to conduct yourself at all times (inside and outside of work) in a manner that will maintain public confidence in both your personal integrity and in the good reputation of the council.
- 13.2 In general, what you do outside of work is your personal concern unless your actions would cause a breakdown in the council's employment relationship with you and/or damage the image and reputation of the Council.

- 13.3 You must inform your manager as soon as possible if you are arrested (even if no action is taken against you) or you are subsequently cautioned or convicted in connection with any offence. This does not include minor driving offences such as fixed-penalty notices for speeding unless:
 - driving is a key requirement of your job, for example, you drive a Council vehicle or you drive your own vehicle regularly on Council business
 - the conviction results in disqualification from driving
- 13.4 Disclosing that you have been arrested, cautioned or convicted of a criminal offence does not necessarily mean that disciplinary action will be taken against you. Consideration will be given to the extent to which your conduct:
 - affects your suitability to carry out your job
 - impacts on work colleagues, customers, contractors/partners
 with whom the Council works
 - the wider impact your conduct has on the Council's valued image and reputation and
 - undermines the trust and confidence that the council must have in you as one of its employees.
- 13.5 Failing to disclose such information, even where no charges are brought against you, may also lead to disciplinary action under the Council's Disciplinary Procedure.

14. Legacies

- 14.1 On occasions, members of the public or service users may wish to express their appreciation of the services they have received from a particular member of staff by leaving them money/gifts in their will. This is likely to be more common where employees work closely with and / or care for vulnerable people as a part of their duties.
- 14.2 Such legacies can give rise to complaints from other potential beneficiaries and to accusations that an employee has taken advantage of the situation to gain personal benefit.
- 14.3 If a client or member of the public suggests to you that they are considering giving or leaving you money or gifts, you must firmly but politely discourage them from doing so. You should refer to explain the difficulty that this policy for the may cause you and that people you meet through your work do not leave you things in their will. You must also report the matter to your manager.

- 14.4 You must also take great care to ensure that you are never placed in a position where it may appear that you are influencing or advising a member of the public or service user about the content of their will and you must never provide assistance to them in drafting a will or acting as a witness.
- 14.5 In the event that any gifts or monies are left to you in a will, you must declare the fact to your Head of Service immediately. Under no circumstances must you accept the bequest.
- 14.6 Failure to comply with these rules governing acceptable use. is likely to lead to disciplinary action including the possibility of dismissal.

15. Inventions / patents / copyright / publication of work / conferences

- 1115.1 If you have invented or written something at work then as a general rule it belongs to your employer if:
 - it has been written/made in the course of your normal duties
 - it has been made/written in the course of your duties and might reasonably be expected as part of your duties.
- 11<u>15</u>.2 You must also make sure that you do not breach the copyright held by others so that if you and thereby expose the Council to the risk of claims. If you wish to copy the work of others you should seek their permission and acknowledge the source. ensure that you comply with copyright law, seeking advice from your manager if you are unsure.

Conferences

4415.3 You may be invited to address conferences or make presentations about your area of work. If you are asked to address a conference or make a presentation you must consult your manager before you accept the request, as there may be some occasions when the Council would not wish to be officially associated with the organising body. You must not personally accept fees for such work, but you may accept expenses and/or the ability to attend the full conference. There may be exceptions whereby your own time and resources are being used and you can be paid for the work. You should nonetheless seek your Executive Director's advice before accepting a fee, and should refer to the "Outside commitments/Working Time Directive and declaration of interests" section of this Code (section 4).

1216. Appointing staff / discipline and grievance

4216.1 If you are involved in making appointments you must make sure these are made on merit against an agreed person specification and in accordance with the Council's recruitment policy and procedures.

- 1216.2 It is unlawful for you to make an appointment based on anything other than the ability of the candidate to undertake the work. In order to avoid any possible accusation of bias, you must not be involved in an appointment if you are related to an applicant, or have a close personal relationship with them. outside work.
- 12.3 It is also important that there is no suggestion of collusion among panel members. You should not be a member of a panel which includes your partner or someone with whom you have a close personal relationship.
- 12.416.4 You must not canvass on behalf of an applicant.
- 16.5 Similarly, you must not be involved in decisions relating to discipline capability, grievance procedures, pay adjustments or promotion for any other officer who is a relative, partner or close friend.

1317. Gifts

- 4317.1 You must, at all times, avoid any occasion for suspicion and any appearance of improper conduct. Any gift, reward or benefit offered to you as a Council officer should generally be refused. You should report any offers of expensive gifts to your Head of Service, Executive Director or the Monitoring Officer. Gifts offered to you (whether or not you accept them) are to be recorded by you in the register as follows:-
 - (a) If the gift is of a nominal value of £25 or less, you have discretion as to whether or not to record the gift. Thus, for example, you would not normally record being given gifts mentioned in category (a) in paragraph 13.2 below, but it would probably be appropriate to record gifts in categories (b) and (c) even if worth less than £25.
 - (b) If the gift is of a nominal value of more than £25 you must record it.
 - Note 1: If your department or team has special rules about accepting / refusing gifts, you must also comply with those rules.
 - Note 2: The form on which gifts and hospitality should be registered can be found on the Council's intranet.
- 4317.2 Gifts may only be accepted if they are:
 - (a) small and of modest value or of a promotional or advertising nature, e.g. calendars, diaries, pens and other similar articles (see also below)
 - (b) small gifts offered during official authorised hospitality, e.g. gifts on the conclusion of any courtesy visit of a type normally given by that organisation

- (c) small gifts given by service users or clients. Where appropriate, such gifts should be shared between teams.
- 43<u>17</u>.3 Gifts that are not acceptable must be declined or returned.
- 1317.4 It is very important that any gifts or other promotional material (pens, calendars, diaries) which carry names or logos should not be used or displayed in public areas. This is to avoid unintentional promotion or endorsement of such products or services.

1418. Hospitality

- 4418.1 You may receive hospitality from other Councils, organisations or individuals as part of your work. You should avoid being personally entertained by those who want, or are likely to want, something from you or the Council. When hospitality is offered, you need to consider how this may be perceived by others. Hospitality must not be accepted from any parties concerned in a contract during the tendering period.
- 1418.2 When considering offers of hospitality you should consider whether:
 - the invitation comes from an organisation likely to benefit from the Council
 - the organisation is seeking a contract with the Council, or already has a contract with the Council
 - the hospitality is part of a conference, seminar etc. or is more of a social function
 - the scale and location of the hospitality is relative to the event
 - the event takes place outside normal working hours
 - it is being offered on a frequent basis
 - it is being offered just to you or to others as well.
- 14.3 All offers of hospitality, whether or not accepted, are to be recorded in the register of gifts and hospitality as follows:
 - (a) You do not need to record any hospitality which is an integral part of a conference or seminar and is being offered to all delegates.
 - (b) Otherwise, if the hospitality is
 - of a nominal value of £25 or less, you have a discretion as to whether or not to record the hospitality. It is suggested that you should record it unless it falls within the three acceptable categories mentioned at paragraph 1418.5.1 below;
 - (ii) of a nominal value of more than £25 you must record it.
- 4418.4 After consideration, you may wish to decline the hospitality. You may refer to this Code when you decline hospitality, and you should record in the register what was offered and refused by you. If the individual or organisation later comes under investigation, it will be

important to know all the offers that were made, not just those accepted.

- Note 1: If your department or team has special rules about accepting / refusing hospitality, you must also comply with those rules.
- Note 2: The form on which gifts and hospitality should be registered can be found on the Council's intranet.
- 44<u>18</u>.5 Below are some broad guidelines on what is generally acceptable and unacceptable.

1418.5.1 Acceptable

- <u>modest</u> working refreshments or meals provided that their purpose is to continue the work underway in the meeting
- attendance in an official capacity at functions to which invitations have been sent to other local authorities
- attendance in an official capacity at functions arranged by local public service bodies and other public authorities.

1418.5.2 **Unacceptable**

- holidays or weekends away
- the use of a company flat or suite
- lunch with a developer who is applying for planning permission
- tickets to theatre, concerts or sporting events which are offered to you to influence your decisions in the Council and which you would not attend in an official capacity.

1519. Sponsorship, giving or receiving

- 4519.1 When an outside organisation wishes to sponsor activity, or is being asked to sponsor a Council activity, the basic conventions covering acceptance of gifts or hospitality apply. You must take particular care when dealing with suppliers or contractors or potential suppliers or contractors.
- 4519.2 Where the Council wishes to sponsor an event or activity, then you, your partner, spouse or relative must not directly benefit from this sponsorship. If you think you may have some benefit from sponsorship, you must advise your manager before the sponsorship is agreed. This could protect you from potential allegations of favouritism or bias. Similarly, where the Council (through sponsorship, grant aid, financial or other means) gives support in the community, you must make sure that you give impartial advice and that there is no conflict of interest involved.

1620. Information, openness and confidentiality

- 4620.1 Brighton & Hove City Council wants to ensure that it operates openly: this means that information should generally be available to the public. However, you should be aware that certain types of information are confidential and must remain confidential (even after you or the person concerned has left employment with the Council). Such types of information include: This means that you should take care not to circulate (even to colleagues over and above those you need to tell for reasons connected with your work for the Council) personal or confidential information (especially that which is of a sensitive nature). This restriction includes but is not limited to the following:
 - personal information, including but not only, that given in confidence and especially that which is sensitive
 - information that might compromise the right of commercial confidentiality
 - information that if disclosed might prejudice enforcement action
 - -information that the Authority is not allowed or required by law to disclose (e.g. under data protection legislation)
 - information relating to the prevention, investigation or prosecution of a crime
 - information that is defamatory
 - information that appears in the confidential part of committee or council reports – Part 2 papers, often printed on pink paper

This list is not exhaustive.

- 4620.2 You should never pass on information, confidential or otherwise, for personal or financial benefit.
- 4620.3 You should be ensure that you are clear about the scope of information to which you have access and the constraints and freedoms applicable to your use of it.
- 4620.4 If you are in any doubt about whether information is confidential or not you should consult your line manager or the council's Monitoring Officer.

1721. Use of financial resources / financial regulations

4721.1 You must make sure that you use the public funds for which you are responsible in a responsible and lawful manner and in accordance with the Council's Contract Standing Orders, Financial Regulations and Anti-fraud and Corruption Policies. Counter-Fraud Strategy & Framework. If you feel there is evidence of financial impropriety, fraud or corruption you should contact the Head of Internal Audit & Business Risk immediately.

48 22. The role of the Monitoring Officer

1822.1 The Monitoring Officer is responsible for making sure that Councillors and officers act with propriety and within the law. He/sheThis person has a statutory responsibility to produce a report to full Council in the event of any possible illegality, maladministration or injustice coming to his / hertheir attention. The Monitoring Officer in Brighton & Hove City Council is the Head of Executive Lead – Strategy, Governance and Law.

1923. Raising concerns

- 1923.1 The Council takes any malpractice seriously and is committed to taking action when such practices are drawn to its attention. Examples of malpractice include bribery, fraud, corruption, gross negligence, actions causing risks to public safety and/or acting where capability is impaired by alcohol or drugs. There may be occasions when such practices are hidden or covered up and need to be drawn to the attention of the Council.
- 1923.2 To make it easier for you to raise your concerns the Council has a procedure which allows you to raise your concern confidentially and, if necessary, outside your department. This is the Whistleblowing Policy and you can find this on the Council's intranet.
- 1923.3 If you feel that you cannot raise your concerns within the Council, then you can contact the charity Public Concern at Work (Tel. 020 404 6609), which is a registered charity independent of Brighton & Hove City Council whose services are free and strictly confidential.

2024. Responding to complaints

2024.1 Brighton & Hove City Council is committed to being open with its service users and to treating their complaints fairly. Information about the Council's complaints procedures is included in the Council's series of leaflets "Complaints, compliments, comments and suggestions" which are available at main Council reception points or from the Council's Standards and Complaints Team. This Team can also give you guidance on how to handle complaints.

2125. Useful information

2125.1 Whistleblowing Policy - available from the Head of Human Resources & Organisational Development or from Internal Audit.
Equalities & Inclusion Policy Statement & Strategy - available from the Head of Human Resources & Organisational DevelopmentCommunities, Equality & Third Sector Team AntiCounter-fraud and Corruption Strategy & Framework - available from Internal Audit

Contract Standing Orders - available from Head of the Procurement Strategy Manager

Code of Conduct for Member–Officer Relations – available from the Head of Executive Lead – Strategy, Governance and Law Code of Conduct for Members – available from the Head of Executive Lead – Strategy, Governance and Law

All these documents are also available on the Wave. Search for constitution in the Library and click open Constitution – all documents

Council	Agenda Item 38
2 nd November 2017	Brighton & Hove City Council

Subject: Review of the Constitution October 2017

Extract from the proceedings of the Policy, Resources & Growth Committee Meeting held on the

12 October 2017

Date of Meeting: 2 November 2017

Report of: Executive Lead for Strategy, Governance & Law

Contact Officer: Name: John Peel Tel: 29-1058

E-mail: john.peel@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

Action Required of the Full Council:

To receive the item referred from the Policy, Resources & Growth Committee for decision:

Recommendation:

That the Policy, Resources & Growth Committee recommends to full Council the proposed changes to the Council's constitution as set out at paragraphs 3.12 to 3.19 in the report and Appendices 4-6 as amended.

BRIGHTON & HOVE CITY COUNCIL

POLICY, RESOURCES & GROWTH COMMITTEE

4.00pm 12 OCTOBER 2017

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Morgan (Chair), Councillor Hamilton (Deputy Chair), Janio (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bell, Mitchell, Peltzer Dunn, Sykes, Wealls and Yates.

PART ONE

47 REVIEW OF THE CONSTITUTION - OCTOBER 2017

- 47.1 The Committee considered a report of the Executive Lead Officer for Strategy, Governance & Law in relation to Review of the Constitution. The report proposed changes to the Council's Constitution for approval by the Committee and Council. The issues set out in the report had been considered by the cross party Constitutional Working Group (CWG).
- 47.2 Referring to page 140 of the agenda, Councillor Wealls noted that social impact bonds were wide ranging and therefore covered several directorates and he was concerned that the mechanism might not work in practice if delegated to the Neighbourhoods, Inclusion Communities & Equalities (NICE) Committee alone.
- 47.3 The Executive Lead Officer, Strategy, Governance & Law replied that it was intended that social impact bonds would operate within the remit of the NICE Committee. If it was found that this caused constraint in practice, the issue could be revisited.
- 47.4 Councillor Wealls enquired whether the paragraph should be amended to reflect a broader operation.
- 47.5 The Executive Lead Officer, Strategy, Governance & Law stated that the existing wording was likely to be sufficient in his view and officers could work to that understanding in practice.
- 47.6 Referring to paragraph 3.6, Councillor Sykes stated that the issue of delegation to officers in relation to property transaction thresholds had not been discussed by the Policy Panel. Furthermore, the Terms of Reference for the Asset Management Board (AMB) included a section to continually consider that delegated threshold.
- 47.7 The Executive Lead Officer, Strategy, Governance & Law stated that the CWG was of the view that the threshold should not change and apologised if the view of the AMB had

- been misrepresented. In the event that the AMB did want to vary the threshold, that could be considered by this committee.
- 47.8 Councillor Mitchell stated that as Chair of the Policy Review Panel, she understood there had been discussion but no firm view or decision made on delegated thresholds and the Panel had left it to the AMB to consider.
- 47.9 The Executive Lead Officer, Strategy, Governance & Law stated that the issue would be resubmitted to the CWG to consider.
- 47.10 Councillor Mac Cafferty stated that whilst he acknowledged that there had been consultation with the CWG and Leaders Group on amendments to the constitution, this was now the third or fourth time the committee had considered a review and that he felt a public consultation was necessary in order to prevent the council's rules and procedures becoming self-referential. Furthermore, Councillor Mac Cafferty believed it unreasonable that the recent LGA Peer Review had been continually referenced when it was not in the public domain and the findings had not been considered and all references to the Review should excluded from reports until that had occurred.
- 47.11 The Executive Lead Officer, Strategy, Governance & Law stated that many of the changes to the Constitution related to the internal workings of the council and on that basis, it was not considered an appropriate use of resources to undertake a public consultation. In relation to the LGA Peer Review, the Executive Lead Officer, Strategy, Governance & Law clarified that this was not a confidential report and could be accessed under a Freedom of Information (FOI) request. An assessment on how to progress the findings was currently being undertaken.
- 47.12 Councillor Mac Cafferty stated that minor textual amendments over a period of three to four years could lead to major changes as a net effect and he hoped the CWG would consider public consultation in the future. The Executive Lead Officer, Strategy, Governance & Law agreed to raise this with the Constitutional Working Group.
- 47.13 Referring to paragraph 3.10 and page 133 of the report, that considered whether a councillor could request an application be considered by Planning Committee, Councillor Peltzer Dunn noted that he had often received requests from residents that applications be considered by committee on the basis of fulfilling democratic duty and not leaving the decision to delegated officer powers. Councillor Peltzer Dunn stated that the proposals would make that process much more difficult firstly because the councillor would be asked whether they were in support or opposed the application when often councillors might seek to be ambivalent about the application. Furthermore, Councillor Peltzer Dunn noted that section a) Appendix 3 requested of the public objections relating to material planning considerations yet section c) did not make such a request of Members and that appeared unfair.
- 47.14 The Executive Lead Officer, Strategy, Governance & Law noted that there was no proposal to amend section a). In relation to section c), the Executive Lead Officer, Strategy, Governance & Law stated that councillors represented the wider communities that elected them and it was democratic right for Members to articulate their concerns or wishes and on that basis, it was legitimate to give more weight to their views as community representatives. The Executive Lead Officer, Strategy, Governance & Law

noted that there was a difficulty perceived in that a very high number of applications were being referred without explanation to Planning Committee that placed strain on the amount of business it had to transact and was slowing its decision making process. Therefore, it was proposed that when requesting an application be considered by the Committee, Members add a few sentences as to why. The proposal for that to be based on a support or objection to the application was to enable the case officer to decide whether to refer it to the committee as, if the outcome the Member is seeking is the same as the Officer's proposal, it would avoid the need to refer it to committee. The Executive Lead Officer, Strategy, Governance & Law added that a short letter from Members outlining reasons for referring any application to the committee that did not set out support or opposition to the application would, in his view, also be acceptable. The Executive Lead Officer, Strategy, Governance & Law noted that the request to make the proposed changed had come from the cross-party Planning Members Working Group based on their experience and he felt it would be better, if there are any changes, for the proposal to be considered by that Group first.

- 47.15 Councillor Peltzer Dunn thanked the Executive Lead Officer, Strategy, Governance & Law for his assurance that Members could write to ask applications be considered by the Planning Committee without the need to state their view, be that support or opposition. Councillor Peltzer Dunn reiterated that he believed that material planning considerations should also apply to Members.
- 47.16 The Executive Lead Officer, Strategy, Governance & Law replied that the issue would be referred to the cross-party Members Group for their consideration.
- 47.17 Councillor Janio stated his concern that increased delegation was being given the Executive Director, Neighbourhoods, Communities & Housing and there was a risk that the portfolio could become unmanageable. Councillor Janio stated that an amendment should be made to section 6 b) of Appendix 5 to read "To exercise the Council's functions in relation to social impact bonds *delivered by the community and voluntary sector*". Councillor Janio stated that this was to confirm that the NICE Committee could oversee social impact bonds delivered by the community and voluntary sector but not those covering other areas such as health.
- 47.18 The Committee were in agreement with the change.
- 47.19 Councillor Yates noted that paragraph 3.19 and the related Rule 18 in Appendix 6 relating to substitution at meetings did not give any clarity on the formal process for how a substitute was appointed. Councillor Yates relayed several incidents from past meetings in demonstration of why he believed a mechanism was needed.
- 47.20 The Chair then put the recommendations, as amended, to the vote which was agreed.
- 47.21 **RESOLVED:** That the Policy, Resources & Growth Committee approves the recommendations set out at paragraphs 3.2 to 3.11 (Scheme of Officer Delegations) and Appendices 1-3.
- 47.22 **RESOLVED TO RECOMMEND:** That the Policy, Resources & Growth Committee recommends to full Council the proposed changes to the Council's constitution as set out at paragraphs 3.12 to 3.19 in the report and Appendices 4-6 as amended.

Council	Agenda Item 38
2 November 2017	Brighton & Hove City Council

Subject: Review of the Constitution: October 2017

Date of Meeting: 2nd November 2017

12 October 2017 – Policy, Resources & Growth

Committee

Report of: Executive Lead Strategy Governance and Law

Contact Officer: Name: Elizabeth Culbert Tel: 29-1515

Email: elizabeth.culbert@brighton-hove.gov.uk

Ward(s) affected: All

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 This report proposes changes to the Council's Constitution for approval by Policy, Resources & Growth Committee and full Council. The issues set out in the report have been considered by the cross party Constitution Working Group.

2. RECOMMENDATIONS:

Policy, Resources & Growth Committee

- 2.1 That the Policy, Resources & Growth Committee approves the recommendations set out at paragraphs 3.2 to 3.11 (Scheme of Officer Delegations) and Appendices 1-3.
- 2.2 That the Policy, Resources & Growth Committee recommends to full Council the proposed changes to the Council's constitution as set out at paragraphs 3.12 to 3.19 in the report and Appendices 4-6.

Full Council

2.3 That the proposed changes to the Council's constitution recommended in paragraph 2. 2 above be approved and adopted.

Both Policy, Resources & Growth Committee and Full Council

- 2.3 That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Council and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
- 2.4 That the changes come into force immediately following approval by PR&G and full Council.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The Council is required to keep its constitution under review with a view to achieving efficiency, economy and effectiveness. The Cross-Party Constitutional Working Group (CWG) was set up to assist with this by considering proposals and advising the Council on proposed changes to the constitution. The current Members of the CWG are Councillors Clare Moonan; Lee Wares and Leo Littman. This report sets out the proposals agreed by the CWG in July 2017.

Officer Delegations – Executive Director, Neighbourhoods, Communities and Equalities

- 3.2 It is proposed that the Executive Director, Neighbourhoods, Communities and Equalities formally takes responsibility for the delivery of the Council's Customer Services and Digital First transformation programme and that the Scheme of Officer Delegations is amended and updated accordingly. This programme is not currently referred to in the Scheme of Delegations to Officers
- 3.3 Amended wording is also proposed in relation to the management of community and voluntary sector discretionary grants to reflect the current commissioning based approach of the Third Sector Investment Programme. The wording proposed is amended to reflect the current practice whereby the budget for community and voluntary sector grants is set at full Council and the framework, including principles, priorities and outcomes is approved by the Neighbourhoods, Inclusion, Communities and Equalities Committee.
- 3.4 The proposed amended wording is shown at **Appendix 1** with tracked changes.

Officer Delegations - Assistant Director, Property

- 3.5 Currently the Assistant Director, Property has delegated powers to acquire or dispose of land of up to £250k in value, with the exception of 'housing land' which is delegated to the Executive Director, Neighbourhoods, Communities and Housing. The reference to 'Housing Land' has caused uncertainty and it is proposed to amend this to 'Housing Revenue Account Land' so that the respective responsibilities of the Executive Director, Neighbourhoods, Communities and Housing and the Assistant Director, Property are clear.
- 3.6 The threshold of delegations to officers in relation to property transactions has been discussed by the recent Policy Review Panel, which indicated that it considered the existing thresholds to be sufficient and therefore there are no recommendations from the CWG to alter these at this time.

Officer Delegations - Emergency Planning

3.7 Currently the scheme of delegations to Officers and the Emergency Planning/Civil Contingencies guidance do not consistently use the same terms, thereby raising the risk of a lack of clarity and/or of decisions not being authorised. It is proposed that authority be given to permit the Monitoring Officer to amend the Scheme of Delegations to Officers to reflect the requirements of the Council's emergency planning and major incidents guidance, once the review of it (which is currently underway) has been completed.

Officer Delegations - Orbis Partnership

- 3.8 The Council has entered shared services agreements for support services. Currently, the Scheme of Delegations to Officers does not deal with the issue of officers exercising powers on behalf of other partner authorities. It is therefore proposed that BHCC's Scheme of Delegations to Officers be amended to make specific reference to the practice of cross- authority working.
- 3.9 A draft of the proposed amendments is attached as **Appendix 2.**

Planning Committee – Member call-in procedure

- 3.10 Under current procedures, Members have the right to refer planning applications to Planning Committee that would otherwise be dealt with under Officers' delegated powers. The Planning Working Group has recommended that Members referring such applications to Committee be required to give reasons as these have not been consistently provided and this principle was supported by the CWG.
- 3.11 The proposed amended wording is attached with tracked changes at **Appendix** 3.

Information Governance

- 3.12 Information Governance is the way the Council handles information, in particular, the personal and sensitive data relating to our customers and employees. The focus on this area is set to increase given the use of technology in delivering the Council's modernisation programmes and the rapid legislative changes in this area, including the new General Data Protection Regulation due to come into force from May 2018.
- 3.13 It is recommended that Audit &Standards Committee be delegated the function of oversight of the Council's information governance arrangements concurrently with Policy, Resources and Growth Committee. This area of work is not currently explicitly referred to in the Council's constitution.
- 3.14 The proposed amended terms of reference for Audit & Standards Committee are attached at **Appendix 4** with tracked changes. In addition, it is proposed to amend the delegation to the Executive Director, Finance and Resources to include reference to Information Governance.

Terms of Reference for Committees – Neighbourhoods, Communities and Equalities Committee

- 3.15 In accordance with the ongoing mandate to review the Council's constitutional arrangements for carrying out its business, the remit of the Neighbourhoods, Communities and Equalities Committee has been reviewed.
- 3.16 There are a number of recommendations which aim to align the remit of this Committee with delegations to Officers and to reinforce the Committee's community-facing responsibilities, organising those in a logical way so as to use this Committee and others as effectively as possible.

- 3.17 It is proposed to implement the following changes:
 - NICE Committee to be responsible for the development and oversight of support to the Council's enforcement functions, including Field Officers;
 - NICE Committee to include the functions of the Council insofar as they relate to Customer Services, including Digital First. These functions are not currently delegated to any Committee.
 - The responsibility for Libraries to move from Economy, Development and Culture Committee to NICE Committee, to bring the Committees into line with changes already made in relation to the Directorate. The CWG noted that the EDC Committee retains an overarching responsibility for 'culture, including arts, entertainment, cultural facilities and heritage' and therefore this remit can extend to look at cultural matters wherever they arise, including as part of the library service.
 - Social impact bonds to be included in the NICE Committee delegations.
 Social impact bonds are a method of funding social policy through a payment-by-results contract with initial funding coming from a social investor.
 The example that the Council is currently engaged with relates to rough sleepers. This function is not currently delegated to any Committee.
 - NICE Committee to be delegated responsibility for developing and overseeing the pilot of the new ward budgets approved by PR&G.
- 3.18 A copy of the proposed amendments to the NICE Committee delegations is attached as **Appendix 5.**

Council Procedure Rules

3.19 The CWG considered a proposal to clarify the rules around substitution at meetings. The proposed amended Council Procedure Rule 18 is attached at **Appendix 6** with tracked changes. The key change is to making explicit the requirement that a substitute may only be appointed where the Member for whom they are substituting is absent for the whole meeting. This is to ensure effective and lawful decision making, where those Members taking decisions are apprised of the relevant issues before the decision is taken.

Petition Reports

3.20 The Constitution Working Group was asked by full Council to review the application of the Council Procedure Rules on amendments to petitions. The CWG reviewed the arrangements and agreed that the usual rules in relation to Petitions should apply. The CWG proposed that the covering reports supporting Petitions should be amended to make clear that the Council Procedure Rules in relation to amendments to Petitions are the same as those for other reports. The rule in relation to amendments is set out below for information:-

Extract from Council Procedure Rule 15 Notice of Amendments

15.4 Copies of amendments will be prepared and circulated prior to the start of a Council meeting only if such amendments are presented to the Chief Executive by 10.00am on the day of the Council meeting.

Amendments for which notice has not been given may be permitted at any time at the discretion of the Mayor or Chair if s/he considers it appropriate with regard to the complexity of the matter, the question of whether notice has been given as soon as is reasonably practicable and any other circumstances that appear to be relevant. Such amendments shall be put in writing unless the Mayor or Chair exercises his to her discretion to allow an amendment to be put orally.

Review of Councillor numbers - Boundary Commission review

- 3.21 The CWG requested officers to contact the Local Government Boundary Commission in order to consider the possibility of an electoral review. The Council's current electoral arrangements were reviewed against the Boundary Commission's detailed criteria and, having considered those, the Commission indicated that it did not consider the electoral variance at BHCC to be significant. As a result it confirmed that BHCC does not meet its criteria for initiating a review at the current time.
- 3.22 A table showing the Commission's calculations is appended as well as a chart indicating where BHCC's arrangements sit in relation to those of neighbouring authorities. This is attached as **Appendices 7a & 7b**.

Decision making arrangements

The CWG considered the current committee system decision making arrangements in Brighton & Hove in the context of the recent LGA Peer review, which recommended that the issue of the governance arrangements for the Council be settled. The CWG did not have a unanimous position in relation to a preferred model of decision making but the majority view was that at this time the Committee system worked well for the Council and should be retained. There is therefore no recommendation to change decision making arrangements at this time.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The Committee or Council could decide not to implement the changes set out in the report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The Cross Party Constitutional Working Group have been consulted and Leaders group considered the proposals set out in the report.

6. CONCLUSION

6.1 The proposals reflect the Council's ongoing efforts to review and streamline its processes in an ongoing way so as to achieve both financial savings and

increased efficiency. It is therefore recommended that they are pursued.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 There are no direct financial implications arising from this report.

Finance Officer Consulted: James Hengeveld Date:4/9/2017

Legal Implications:

7.2 PRG and where specified in the report, full Council, have the authority to make the changes to the Council's constitution as set out in the report. The intention is for the proposals to be implemented with immediate effect unless otherwise indicated.

Lawyer Consulted: Elizabeth Culbert Date: 4/9/2017

Equalities Implications:

7.3 None

Sustainability Implications:

7.4 None

Any Other Significant Implications:

7.5 None identified

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 – Officer Delegations – Executive Director, Neighbourhoods, Communities and Housing

Appendix 2 – General Officer Delegations – Orbis Partnerships

Appendix 3 – Officer Delegations – Executive Director Economy, Environment and Culture

Appendix 4 – Terms of Reference for Audit and Standards Committee

Appendix 5 – Terms of Reference for Neighbourhoods, Inclusion, Communities and Equalities Committee

Appendix 6 – Council Procedure Rules – substitution

Appendix 7a and 7b – Boundary Commission data

Documents in Members' Rooms

1. None

Background Documents

1. None

<u>Appendix 1 – delegations to Executive Director Neighbourhoods, Communities and Housing with tracked changes</u>

VII DELEGATIONS TO EXECUTIVE DIRECTOR NEIGHBOURHOODS, COMMUNITIES AND HOUSING

1. Gypsies, Roma and Travellers

To exercise the Council's functions regarding all issues relating to Gypsies, Roma and Travellers including management of authorised sites.

2. Neighbourhood Renewal

To exercise the Council's functions in respect of neighbourhood renewal, which include:-

- (a) Developing and implementing the neighbourhood renewal strategy for the City in order to narrow the gap between the most deprived neighbourhoods and the rest of the City, under the themes set by national Government of: housing, health, liveability, crime, education and employment and
- (b) acting as the accountable body for the neighbourhood renewal fund on behalf of the Local Strategic Partnership.

3. Housing Related Support Services

Subject to any instructions of the Chief Executive given from to time, to exercise the Council's functions in relation to housing related support services for adults generally.

Note: this power is delegated concurrently to the Executive Director Health and Adult Social Care.

4. Housing

(1) General

To manage the Council's housing services.

(2) Housing Revenue Account (H.R.A.) Properties

- (a) To manage property within the Housing Revenue Account and associated property;
- (b) Without prejudice to (a) above, exercise the housing functions listed in **Schedule 5** to this Scheme of Delegation.

(3) Right to Buy

To administer the right to buy scheme.

(4) Housing Strategy

- (a) To exercise the Council's functions as a local housing authority.
- (b) Without prejudice to (a) above, to exercise the Council's functions in respect of the preparation and development of the Council's housing strategy including the housing investment programme.

(4A) Housing Related Property Transactions

Without prejudice to the generality of the housing related powers granted under this part of the constitution, and for the avoidance of doubt, the delegations to the Executive Director shall include the powers described in paragraphs 21(7) to 21(13) of the delegations to the Assistant Director of Property in so far as they relate to land or property held by the Council for housing purposes, this with the express proviso that the requirement that the certification of the Valuer be obtained shall not apply to leases entered into for a period of up to 10 years for the purposes of providing temporary accommodation

(5) Homelessness and Allocations

- (i) Subject to sub-paragraph (5)(ii) below, to discharge the Council's functions regarding homeless persons under the Homelessness legislation, and exercise the Council's functions regarding the allocation of dwellings generally, including the Council's functions under Part VI of the Housing Act 1996.
- (ii) Sub-paragraph 5(i) above shall not apply in relation to the management of hostels for vulnerable adults.

(6) Housing Grants

To carry out the Council's functions in relation to grants for the improvement and repair of housing under Part 1 of the Housing Grants, Construction and Regeneration Act 1996 and earlier and any later grants legislation.

(7) Standards of Housing

- (a) To exercise the Council's functions regarding standards of housing in its area.
- (b) Without prejudice to the generality of (a) above, the Executive Director shall have the power to deal with the enforcement of housing standards

additional control measures in residential accommodation and licensing of houses in multiple occupation, selective licensing of other residential accommodation and overcrowding under the Housing Act 2004 and all other relevant legislative provisions, provided that any decision involving the making of demolition orders and prohibition orders, but not Emergency Prohibition Orders under sections 43 and 44, shall not be taken unless the Chair of the Housing and New Homes Committee and the Executive Lead for Strategy, Governance and Law (and Monitoring Officer) have been consulted and have no objections.

(c) Without prejudice to the generality of (a) above, to serve enforcement notices or take other appropriate action under statutory provisions for the abatement of nuisances or requiring works to be done to remedy nuisances, hazards to health or other matters in residential premises.

(8) Tenancy Relations

To exercise the Council's functions regarding tenancy relations and in particular the Council's functions under the Protection from Eviction Act 1977 and the Landlord and Tenant Act 1985.

(9) Housing Advice

To discharge the Council's functions regarding the provision of advice on housing matters and the publication of information.

(10) Access to Personal Files

To exercise the Council's functions regarding access to personal files or information under the Data Protection Act 1998.

(11) Licensing and Registration of HMOs

To exercise the Council's functions regarding the licensing of Houses in Multiple Occupation under the Housing Act 2004 and any other relevant legislation and the maintenance of all registers required in respect of licensing, Housing Notices and Orders and Interim and Final Management Orders and Empty Dwelling Management Orders.

(12) Power to issue Notices

- (a) To issue and sign Notices of Seeking Possession and Notices to Quit in relation to any secure or non-secure housing tenancies.
- (b) To issue and sign statutory notices that relate to private sector residential properties and otherwise to exercise the Council's functions in relation to the functions listed here, this including (but not limited to) the functions exercisable by the Council pursuant to the following legislation:-

Anti Social Behaviour Crime and Policing Act 2014 Parts 1, 4, 5 and 6 Housing Act 1985 Parts VI, VIII, IX, X, XI, XVI;

Housing Act 1996 Part II;

Housing Grants, Construction and Regeneration Act 1996 Parts 1 and V:

Local Government (Miscellaneous Provisions) Act 1976 ss. 16 and 33;

Local Government (Miscellaneous Provisions) Act 1982 s.29;

Public Health Act 1936 ss.45,48,49,83,84 and 275;

Public Health Act 1961 ss. 17 and 22;

Building Act 1984 ss. 59, 64,66,67,70,72,76,84 and 97;

Environmental Protection Act 1990 Parts III and IX;

Prevention of Damage by Pests Act 1949 s.4;

Health and Safety at Work, etc. Act 1974 s.4;

Housing Act 2004 Parts 1, 2, 3, 4, Part 6 section 216 only, Part 7.

5. Emergency Planning

To exercise the Council's functions in respect of emergency planning and business continuity, including the council's functions under the Civil Contingencies Act 2004.

6. Community Safety and Drug Action Team

- (1) To exercise the functions of the Council in relation to Community Safety and in particular the power to:-
 - (a) co-ordinate the Council's functions regarding the police and public safety and to take such corporate action as is necessary, including:-
 - (i) making the consultative arrangements under the Police Act 1996;
 - (ii) drawing up community safety plans;
 - (iii) co-ordinating the Council's functions under the Crime and Disorder Act 1998 including the formulation, with other responsible authorities, of strategies for reducing crime and disorder and the making of child curfew schemes.
 - (b) To take any action or steps under the Crime and Disorder Act 1998, the Criminal Justice and Police Act 2001, the Anti-Social Behaviour Act 2003 and such other legislation as appears necessary in the interests of the Council and in accordance with the Council's community safety, youth crime and other safer streets strategies.
- (1) To exercise the Council's functions regarding drug and substance misuse.

(2) To exercise the Council's functions under the Counter Terrorism and Security Act 2015.

7. Environmental Health

- (1) To exercise the Council's functions in respect of environmental health matters including but not limited to the functions listed in **Schedule 1** to this Scheme of Delegations.
- (3) To exercise the power to issue and sign notices and orders in respect of environmental health matters and to take all other necessary steps to discharge the Council's enforcement powers in this area.

8. Licensing and Registration

- (1) To exercise the functions of the Council in relation to licensing and registration, including but not limited to functions under the Licensing Act 2003 and the Gambling Act 2005 to the extent that such functions may be delegated to an officer under those Acts.
- (2) To exercise the power to grant licences, permits, consents or registrations, as the case may be, in relation to the Council's licensing and registration functions including but not limited to those listed in **Schedule 2** to this Scheme of Delegations.
- (3) The power to grant licences etc. under (1) and (2) above shall not apply:-
 - (i) where the granting of the licence would be contrary to any existing policy of the Council, provided that the above qualification shall not apply where the Council has no power to refuse applications.
 - (ii) in relation to the following matters under the Licensing Act 2003:-
 - (a) the determination of an application for a premises licence where representations have been made:
 - (b) the determination of an application for a provisional statement where representations have been made;
 - (c) the determination of an application for variation of a premises licence where representations have been made;
 - (d) the determination of an application to vary the designated premises supervisor following Police objections;
 - (e) the determination of an application for the transfer of a premises licence following Police objections;
 - (f) consideration of a Police objection made to an interim authority notice:
 - (g) the determination of an application for a club premises certificate where representations have been made;
 - the decision to give counter notice following Police objections to a temporary event order;

- (i) the determination of an application for the grant of a personal licence following Police objections.
- (iii) In relation to the following matters under the Gambling Act 2005:-
 - (a) the determination of an application for a premises licence where representations have been made and not withdrawn;
 - (b) the determination of an application for a variation of a premises licence where representations have been made and not withdrawn;
 - (c) the determination of an application for the transfer of a premises licence where representations have been received from the Commission:
 - (d) the determination of an application for a provisional statement where representations have been received and not withdrawn;
 - (e) the determination of an application for a review of a premises licence:
 - (f) the determination of an application for club gaming / club machine permits where objections have been made;
 - (g) the cancellation of club gaming / club machine permits;
 - (h) the decision to give a counter notice to a temporary use notice.
- (4) Where, in the opinion of the Director, after consultation with the Chair of the Licensing Committee, the application is considered to be a major application, having regard to licensing objectives, the matter may be referred to the full Licensing Committee. Major applications which are unopposed may be dealt with under officer delegated powers.
- (5) The power to grant licences under sub-paragraphs (1) and (2) above shall include the power to renew, transfer, vary, refuse, suspend or revoke such licence, registration etc. and the power to impose conditions.

9. Trading Standards

To exercise the Council's functions with regard to trading standards, including but not only in the following areas:

- · Animal health and welfare
- Consumer protection
- Fair trading and consumer protection
- Food and feed
- Food safety
- · Health and Safety at Work
- Product safety
- Weights and measures
- (2) Without prejudice to the generality of (1) above, to discharge the Council's functions under the legislative provisions listed under **Schedule 3** to this Scheme of Delegations, this including (but not limited to) the following:

- To appoint and designate officers as inspectors, sampling officers or authorised officers in respect of the above functions.
- To grant, amend, refuse, suspend and transfer licenses or certificates, and
- To register persons or premises, pursuant to legislation made in relation to the above areas.

10. Communities

- (1) To manage community and voluntary sector discretionary grants, as follows:-
 - (a) In relation to the <u>Third Sector Investment ProgrammeThree Year</u> Corporate Grant Programme
 - (i) to process applications for grants from communities and non-profit making bodies in the area of the Council and make recommendations to the Neighbourhoods, Inclusion, Communities and Equalities

 CommitteePolicy, Resources & Growth Committee for approval; and
 - (ii) following approval of grants pursuant to sub-paragraph (i) above, to amend any or all such grants in response to budget changes, after consultation with the Members Advisory Group.
 - (b) In relation to all other grants administered by the Executive Director Neighbourhoods, Communities and Housing (including the Communities Fund) grants to smaller organisations, specialist programme grants and, community grants), to receive, commission and process grant applications and to approve grants after consultation with either (i) the Chair of the Members' Advisory Group for grants of £3,000 or less, or (ii) the Members' Advisory Group for grants in excess of £3,000.
- (2) To develop the Council's approaches to tackling inequality and discrimination both within the Council as an employer and across the City.

11. Libraries

- (1) To exercise the functions of the Council in relation to libraries and in particular the power to:-
 - (a) fix the opening and closing hours of libraries;
 - (b) set the fees and charges made by the Business Information Services;
 - (c) take such other steps as appear to the Executive Director Neighbourhoods, Communities and Housing to be necessary or conducive to the effective and efficient running of the library service.

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(2) To manage the Grange, Rottingdean

12. Customer services, including Digital First

To exercise the customer services functions of the Council. This shall include overseeing the provision of advice and assistance in relation to the delivery of Council services (including those services provided by other directorates), including (but not be limited to) the Council's Digital First transformation programme.

13 The Prevent Duty

To exercise the functions of the Council listed above with due regard to the need to prevent people from being drawn into terrorism, and otherwise to agree risk and to co-ordinate Prevent activity across the Council so as to ensure the Council's implementation and delivery of its statutory Prevent duty in the exercise of its functions.

<u>Appendix 2 – Proposed Amendments to the Scheme of Delegations to Officers to reflect Orbis arrangements</u>

Extract from Part 6 – Scheme of Delegations to Officers

[..]

PART 6.1 INTRODUCTION

- The delegations set out in Parts A and B of this Scheme of Delegation shall be construed and applied in accordance with the following paragraphs.
- 2. The following expressions shall have the meanings assigned to them:-

"Chief Officer" means any one of the Chief Executive, Executive Directors of Finance & Resources; Economy, Environment and Transport; Health and Adult Social Care; Families, Children and Learning; Neighbourhoods, Communities and, Housing or the Executive Lead for Strategy, Governance and Law (and Monitoring Officer) or any of their successors including any person appointed to undertake the functions of the Chief Officer by whatever name called unless the context suggests otherwise.

"Executive Leadership Team" means the Team consisting of the Chief Officers.

"Corporate Landlord" means the model adopted by the council under which the council's property assets are managed with the aim of bringing together all property functions (except for operational service issues) under Property & Design to improve the utilisation, efficiency and effectiveness of the council's land & buildings.

"the Orbis Partnership" shall mean the public sector partnership which has been entered into by Brighton & Hove City Council with East Sussex County Council and Surrey County Council and the Orbis Public Law Partnership which has been entered into by Brighton & Hove City Council with East Sussex County Council, Surrey County Council and West Sussex County Council in order to deliver certain of the Council's corporate services via a shared arrangement.

- 3. The functions of the <u>Ceouncil specified in Part A of this Scheme are</u> delegated to the Chief Officers in relation to their areas of responsibility (and subject to the Corporate Landlord model).
- 4. The functions of the Council specified in Part B of this Scheme are delegated to the officer/s described therein.
- 5. The functions delegated under this Scheme of Delegation shall be subject to the Council's standing orders, financial regulations, policies

and procedures and to any instruction or guidance of the Council or the appropriate Committee or Sub-Committee acting under its delegated powers. The functions shall be carried out subject to the duty to have due regard to the need to prevent people from being drawn into terrorism.

- 6. Except in relation to any statutory function vested directly in the officer concerned, each officer shall, in exercising his/her delegated functions, comply with any instructions of the Chief Executive. The Chief Executive is authorised to rule on any questions arising under this scheme including the extent to which any function is delegated.
- 7. Where a function is delegated to an officer, he/she may authorise the carrying out of that function, in his/her name, by other officers within his/her department, directorate, team, unit or section (or such other officers as report to him/her directly or indirectly) either fully or under the general supervision and control of the authorising officer. Without prejudice to the generality of the foregoing, such authorisation may include authorisation to issue and sign statutory notices in the name of the relevant officer or any other person with delegated functions.
- Without prejudice to the other provisions of this Scheme, employees of Orbis Partnership authorities may be authorised by Brighton & Hove City Council to carry out work on the authority's behalf by the relevant Executive Director or other authorised officer of BHCC. This may occur on a basis agreed between Brighton & Hove City Council and the relevant authority/ies, provided that the work in question may lawfully be carried out by a person who (whilst not an officer of Brighton & Hove City Council) may be directed to act on this Council's behalf either by professional practice or at the Monitoring Officer or other officer's discretion.
- 9. All such matters as may be regarded as included by inference shall be comprised within the delegated functions of officers; and any delegation to an officer shall include all consequential or ancillary matters as necessary. For example, where the exercise of a function has been delegated, it shall include, subject to any express reservations in this scheme, the power to serve notices or orders, authorise agreements, authorise proceedings or fix or vary fees and charges.

Appendix 3 – Proposed Amendments to the delegations to the ED – E, E & C

<u>Extract from the Delegations to the Executive Director - Economy, Environment and Culture</u>

[..]

15. Town and Country Planning

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

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

- (a) 5 or more individual written objections relating to material planning considerations pertinent to the application in question have been received within the public consultation period from separate persons or bodies in relation to applications that officers are minded to approve, or where 5 or more individual written expressions of support from separate bodies or persons have been received within the public consultation period in relation to applications that officers are minded to refuse. Only written objections or expressions of support received from persons who live in the immediate vicinity of the application site or who otherwise may reasonably be considered to be potentially directly affected by the proposed development will be taken into account in determining the relevant number of representations required by this paragraph; or
- (b) Conservation Advisory Group (CAG) or Disabled Access Advisory Group (DAAG) requests, within the public consultation period, that an application is determined by the Planning Committee. In making the request CAG or DAAG shall state whether it would be seeking an approval or refusal of the application. If officers' determination of the application under delegated powers would be in accordance with that request then the request shall be deemed to have been withdrawn; or
- a ward Councillor requests, within the public consultation period, that an (c application within his or her ward is determined by the Planning Committee. In making that request the Councillor shall state whether he/she would be supportingseeking an approval or refusal of the application and shall give their reason or reasons in writing as to why they consider the application should be determined by Committee and shall set out their representations on the application as part of their request. Ward Councillors making such requests may,-attend and address the Committee when the application falls to be determined.or may ask for their representations to be read out at the meeting .-. If officers' determination of the application under delegated powers would be in accordance with that request then the request shall be deemed to have been withdrawn. (NB In any case where the Ward Councillor is also a member of the Planning Committee and the application is referred to the Committee for determination, he/she will, if present, having exercised his/her right to make an oral representation to the Committee, need to leave the meeting during the consideration of the application); or

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<u>Appendix 4 – Proposed Delegations to Audit & Standards Committee – showing tracked changes</u>

AUDIT & STANDARDS COMMITTEE

Explanatory Note

The Audit functions of this Committee relate to the Council's arrangements for the discharge of its powers and duties in connection with financial governance and stewardship, risk management and audit. It plays a key role in acting as a critical friend to the Council and in helping to build trust in the Council's arrangements. The Committee receives referrals from and makes recommendations to the Council, Policy & Resources Committee, Officers or other relevant body within the Council.

The Standards functions of this Committee seek to ensure that the Members, Coopted Members and Officers of the Council observe high ethical standards in performing their duties. These functions include advising the Council on its Codes of Conduct and administering related complaints and dispensation procedures.

In addition to the Councillors who serve on the Audit and Standards Committee, the Committee includes at least two independent persons who are not Councillors. They are appointed under Chapter 7 of the Localism Act, or otherwise co-opted, and act in an advisory capacity with no voting powers.

In the terms of reference of this Committee a "Member" is an elected Councillor and a "Co-opted Member" is a person co-opted by the Council, for example to advise or assist a Committee or Sub-Committee of the Council.

General Audit and Standards Delegated Functions

To review such parts of the constitution as may be referred to the Committee by the Policy and Resources Committee and to make recommendations to the Policy Resources Committee and the Council.

To appoint, co-opt or (in any case where only the Council has power) to recommend the appointment or co-option of a minimum of two independent persons:

- to give general assistance to the Committee in the exercise of its functions;
 and
- to give views on allegations of failure to comply with a Code of Conduct as required by Chapter 7 of the Localism Act.

To_:

- review and agree the Council's whistleblowing policy
- have an overview of complaints handling and Local Ombudsman investigations
- review and agree activity, policy and guidance in relation to the Regulation of Investigatory Powers Act 2000

To deal with any audit or ethical standards issues which may arise in relation to partnership working, joint committees and other local authorities or bodies.

To oversee the Council's information governance arrangements. This will include oversight of those of the Council's policies, procedures and processes which concern information governance and which operate across the Council's internal and external-facing activities.

To ensure arrangements are made for the training and development of Members, Co-opted Members and Officers on audit, ethical and probity matters, including Code of Conduct issues.

To support and advise the Chief Finance Officer and the Monitoring Officer in their statutory roles.

Delegated Audit Functions

To carry out independent scrutiny and examination of the Council's financial and non-financial processes, procedures and practices to the extent that they affect the Council's control environment and exposure to risk, with a view to providing assurance on the adequacy and effectiveness of:

- the work of internal and external audit;
- the governance arrangements of the council and its services;
- the risk management and performance management frameworks and the associated control environment:
- the arrangements to secure value for money;
- the financial management process;
- arrangements for the prevention and detection of fraud and corruption

To meet the requirements of the Accounts and Audit Regulations 2015 in respect of:

- conducting an annual review of the effectiveness of the system of internal control;
- conducting an annual review of the effectiveness of internal audit;
- reviewing the outcome of annual review of governance arrangements and approving the Annual Governance Statement, ensuring its contains any actions for improvement; and
- considering and approving the Council's annual Statement of Accounts.

To consider the External Auditor's Annual Audit Plan, Audit Results Report, Annual Audit Letter and other relevant reports.

To consider and agree the Internal Strategy and Annual Audit Plan, Head of Internal Audit's Annual Internal Audit Report including Opinion, periodic progress reports and other relevant internal audit reports.

To consider and agree the Head of Internal Audi Annual Fraud & Corruption Report and consider and approve the Council's Counter Fraud Strategy.

Delegated Standards Functions

To advise the Council on the adoption, revision or replacement of Codes of Conduct for (a) Members and Co-opted Members and (b) Officers;

To exercise all other functions of the Council in relation to ethical standards, in particular those under Chapter 7 of the Localism Act, including the following:

- promoting and maintaining high standards of conduct within the Council and monitoring the operations of the Council's Codes of Conduct and registers of interests;
- in relation to allegations that a Member or Co-opted Member has failed to comply with the Code of Conduct, putting in place arrangements to investigate and make decisions:
- supporting the Monitoring Officer in the exercise of that Officer's ethical standards functions, in particular the duty to establish & maintain registers of interests for the Council and for Rottingdean Parish Council;
- in relation to Members or Co-opted Members with pecuniary interests, putting in place arrangements to grant dispensations, in appropriate cases, from the restrictions on speaking and/or voting.

NOTE: With the exception of the adoption, revision or replacement of the Codes of Conduct referred to above, the Audit and Standards Committee may develop and adopt its own procedures and protocols.

Appendix 5 – delegations to NICE Committee

NEIGHBOURHOODS, INCLUSION, COMMUNITIES AND EQUALITIES COMMITTEE

PROPOSED SCHEME SHOWING TRACKED CHANGES

Explanatory Note

This committee has overall responsibility for co-ordinating the Council's approach toregarding-communities and neighbourhoods and the , third sector, including all matters relating to libraries, community safety and resilience, equalities and inclusion. The Committeelt discharges its functions by either making decisions itself or, as necessary, making recommendations to the most appropriate body. Some of its terms of reference overlap with other committees. Where this is the case, the relevant committees have concurrent delegations. It consists of 10 Members, but it may invite representatives from communities, LATs and others to attend as invitees with speaking rights.

Delegated functions

To discharge the Council's functions relating to <u>libraries</u>, community safety, neighbourhoods and community development <u>including councillor budgets and also the Council's customer-facing services</u>, the third sector, street homelessness, equalities and fairness, <u>as well as the development of proposals in relation to its front-line enforcement functions. It exercises its functions and to do so with due regard to the need to prevent people from being drawn into terrorism, <u>while coordinating and to co-ordinate</u> the Council's delivery of its statutory Prevent duty imposed by the Counter-Terrorism and Security Act 2015:</u>

1. Community safety

To discharge the Council's functions regarding community safety, crime and disorder and associated matters in particular where these require member-level engagement and consultation with the community.

NOTE: The committee will work in conjunction with the Safe in the City Partnership and the work of the two bodies will be co-ordinated to ensure that they complement each other and avoid duplication where possible.

2. Crime and Disorder Committee

To be the designated Crime and Disorder Committee as required under the Police and Justice Act 2006.

3. Neighbourhood and community development

 a) To consider options and develop proposals for neighbourhood arrangements, including capacity building, use of assets and devolving powers and services to neighbourhoods and making recommendations to the Policy, Resources and Growth Committee. b) To monitor and review the operation of any neighbourhood based delivery of services and make recommendations as necessary.

4. <u>Development of proposals relating to the Council's frontline enforcement</u> functions-.

To develop and oversee proposals for Field Officers and the vision for the provision of integrated support to the Council's frontline enforcement functions.

5. Active Citizenship and Community Resilience

- a) To develop, oversee and make decisions regarding the proposals to increase active citizenship and make recommendations to Policy, Resources and Growth Committee.
- b) To develop, oversee and make decisions regarding the proposals to improve community resilience and make recommendations to Policy, Resources and Growth Committee.

65. Community and voluntary sector, including social impact bonds

- a) To develop, oversee and make decisions regarding the implementation of the Council's Communities and Third Sector Policy, investment in and support to the community and voluntary sector.
- b) To exercise the Council's functions in relation to social impact bonds.

7. Councillor budgets

- a) To develop the Council's approach to councillor budgets within the framework set by Policy, Resources & Growth Committee.
- b) To oversee all aspects of the delivery of the councillor budget process.

8. Customer Services, including Digital First (and Digital Brighton & Hove)

To monitor and review the Council's delivery of its customer services across all areas including its Digital First transformation programme as well as digital inclusion.

9. Libraries

To exercise the Council's functions in relation to libraries.

106. Street homelessness

To coordinate the Council's policies and actions with the view to reducing and eliminating street homelessness and, in conjunction with the Policy, Resources and Growth and Housing and New Homes Committee and the Health & Wellbeing Board, to ensure that appropriate action is taken.

117. _Equalities

- a) To discharge the Council's functions regarding equalities and inclusion.
- b) Implementation of equalities related scrutiny or other recommendations, including Trans Scrutiny Report.

128 . Fairness

- a) To develop proposals for a Fairness Commission and make recommendations to the Policy, Resources and Growth Committee.
- b) To consider proposals or recommendations submitted by the Fairness Commission and advise the Council or Policy, Resources and Growth Committee on implementation.
- c) To monitor implementation of recommendations of the Fairness Commission.
- d) Working with other committees and partners to promote fairness in the delivery of services.

139 . Prevent duty

- a) Carrying out its functions with due regard to the statutory Prevent duty imposed by the Counter-Terrorism and Security Act 2015, which requires the Council to have due regard to the need to prevent people being drawn into terrorism.
- b) Monitoring risk and otherwise co-ordinating Prevent activity across the Council's functions.

Appendix 5 – the Council's Procedure Rules

18.14 Substitutes

The Council recognises that the purpose of the Local Government (Committees and Political Groups) Regulations is to ensure that the political balance of and representation on committees and sub-committees is maintained in the decision making process. These rules for the use of substitutes have been adopted to ensure this principle is maintained.

18.15 Appointing a substitute

Subject to Rules 18.16 to 18.22 below, where Members of the Council who are Members of Committees or Sub-Committees are unable to attend a meeting for whatever reason, a substitute Member may attend and speak and vote in their place for that meeting.

- 18.16 The substitute Member shall be a Member of the Council drawn from the same political group as the Member who is unable to attend the meeting, and must not already be a Member of the relevant Committee or Sub-Committee. The substitute Member must declare themselves as a substitute, and be minuted as such, at the beginning of the meeting or as soon as they arrive.
- 18.17 It shall be the responsibility of the individual substitute Member to ensure that he or she is apprised of the items on the agenda of the relevant meeting in order to facilitate effective decision making.
- 18.18 A substitute may only serve as a Member at a meeting when the Member for which s/he is substituting is absent for the entire meeting. A substitute may not be appointed for a specific item. Once a meeting has started with a Member in place then no substitution may be made during the course of the meeting to replace that Member.
- 18.19 If a substitute has not arrived by the commencement of the meeting and the original appointed Member is present, then the appointed member will continue as a voting member of the committee.
- 18.20 Where a substitute Member has attended a meeting which is adjourned, the original appointed Member may attend the reconvened meeting as the voting member, provided that the meeting is not part way through the consideration of an item or issue.
- 18.21 Any Member attending as a substitute will be entitled to travelling and subsistence allowance in accordance with the scheme approved by the Council.

18.22 Voting

The substitute Member will be entitled to speak and vote in his or her own capacity, and is not constrained by the views of the Member for whom he or she is substituting.

18.23 Substitutes on Policy Panels

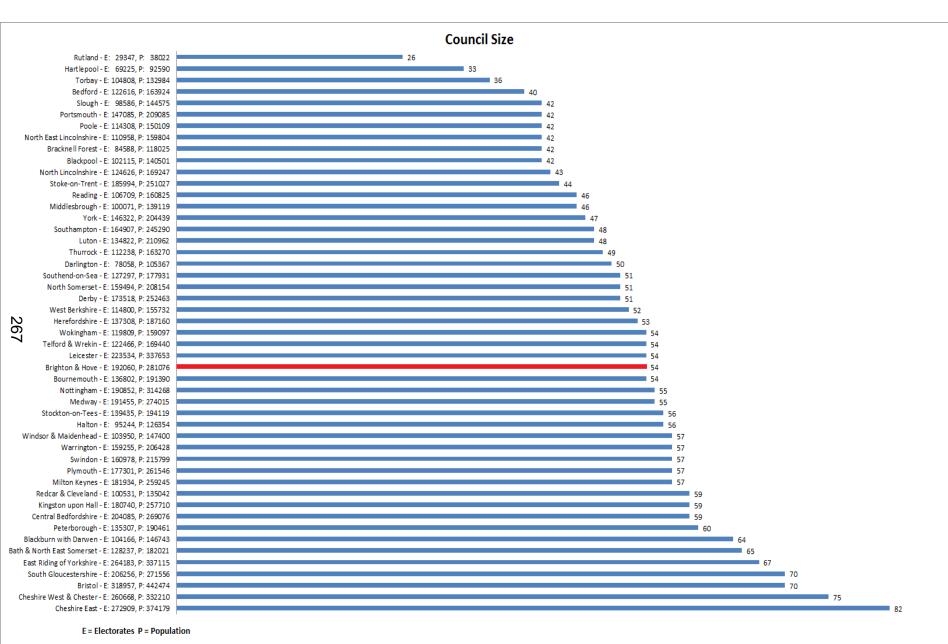
The provisions of Procedure Rules 18.15 regarding the ability to appoint substitute Members shall not apply in respect of meetings of Policy Panels.

18.23 Substitutes in Licensing

The requirement under Council Procedure Rule 18.16 for a substitute Member to be drawn from the same political group as the Member who is unable to attend the meeting shall not apply to the Licensing Act 2003 Sub-Committee/Panel.

18.26 Substitution on Standards Panel

Once a Standards Panel has been appointed in accordance with the approved procedure for investigating allegations of a breach of the Members' Code of Conduct, no substitution to that Panel shall be allowed.



Appendix 1b – electoral review information

Table prepared by the LGBCE demonstrating their calculations calculations (based on December 2016 electorate data.

Ward Name	Electorate	Councillors	District Voter Ratio	Ward Voter Ratio	% Variance
Brunswick & Adelaide	7,567	2	3,672	3,784	3.03%
Central Hove	7,139	2	3,672	3,570	-2.80%
East Brighton	10,330	3	3,672	3,443	-6.24%
Goldsmid	11,939	3	3,672	3,980	8.37%
Hangleton & Knoll	11,019	3	3,672	3,673	0.02%
Hanover & Elm Grove	10,755	3	3,672	3,585	-2.38%
Hollingdean & Stanmer	9,065	3	3,672	3,022	-17.72%
Hove Park	8,254	2	3,672	4,127	12.38%
Moulsecoomb & Bevendean	10,285	3	3,672	3,428	-6.65%
North Portslade	7,605	2	3,672	3,803	3.54%
Patcham	11,119	3	3,672	3,706	0.92%
Preston Park	10,949	3	3,672	3,650	-0.62%
Queen's Park	11,164	3	3,672	3,721	1.33%
Regency	7,401	2	3,672	3,701	0.77%
Rottingdean Coastal	10,956	3	3,672	3,652	-0.56%
South Portslade	7,163	2	3,672	3,582	-2.47%
St.Peter's & North Laine	12,310	3	3,672	4,103	11.73%
Westbourne	7,320	2	3,672	3,660	-0.34%
Wish	7,190	2	3,672	3,595	-2.11%
Withdean	11,229	3	3,672	3,743	1.92%
Woodingdean	7,550	2	3,672	3,775	2.79%

Electoral Forecasts – A Guide for Practitioners: extract taken from page 2:

"When variances in representation become significant, we consider the need for an electoral review. We regard variances as significant when more than 30% of an authority's wards/divisions have an electoral imbalance of more than 10% from the average for that authority; and/or it has one ward/division with an electoral imbalance of more than 30%; and the imbalance is unlikely to be corrected by population change within a reasonable period."

Council	Agenda Item 39
2 nd November 2017	Brighton & Hove City Council

Subject: Rough Sleeping Strategy Update

Extract from the proceedings of the Neighbourhoods,

Inclusion, Communities & Equalities Committee

meeting held on the 9 October 2017

Date of Meeting: 2 November 2017

Report of: Executive Lead for Strategy, Governance & Law

Contact Officer: Name: Penny Jennings Tel: 01273 291065

E-mail: penny.jennings@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

Action Required of Council

To receive the item referred from the Neighbourhoods, Inclusion, Communities & Equalities Committee for information.

Recommendation:

That the contents of the report be noted.

BRIGHTON & HOVE CITY COUNCIL

NEIGHBOURHOODS, INCLUSION, COMMUNITIES & EQUALITIES COMMITTEE 4.00pm 9 OCTOBER 2017

THE BRIDGE COMMUNITY CENTRE, LUCRAFT ROAD, BRIGHTON

MINUTES

Present: Councillors Daniel (Chair), Moonan (Deputy Chair), A Norman (Opposition

Spokesperson), West (Group Spokesperson); Bewick, Cattell, Knight, K

Norman, Peltzer Dunn and Simson

Invitees: Chief Superintendent Lisa Bell, Police Representative; Joanna Martindale;

Hangleton & Knoll Project and Anusree Biswas Sasisharan, Brighton &

Hove Ethnic Group

PART ONE

23. **ROUGH SLEEPING STRATEGY UPDATE**

- 23.1 The Committee considered a report of The Executive Director, Neighbourhoods, Communities and Housing which provided a progress update on the implementation of the Council's Rough Sleeping Strategy.
- It was explained that the Rough Sleeping Strategy had been approved by the Council 23.2 and its partners and signed up to by Brighton & Hove Connected in June 2016. The issue of rough sleeping remained acute with a visible presence on the city's streets, impacting not only on the life chances of the individuals concerned but the reputation of the city and in terms of costs to public services and business. The strategy which had been approved unanimously and signed up to by all local agencies now being closely monitored and all activity reviewed to ensure that the most effective outcomes were achieved for rough sleepers and for the city as a whole.
- Currently, the numbers of rough sleepers remained stable though national and therefore 23.3 local numbers were predicted to increase over the next twelve months. It had been estimated that there were currently around 30 new arrivals to the city per week that were either already rough sleeping or at risk of rough sleeping. This meant that local agencies had to work effectively together with over 1500 individuals per year, of which approximately 1,300 cases are diverted or signposted elsewhere to ensure that this did not result in significant increases in rough sleeping locally. The numbers who came from outside the city and those with a local connection is currently a 50-50 split. The vast majority of individuals had complex needs, often relating to substance misuse and mental health issues connected with their vulnerability.

- 23.4 The issue of rough sleeping remained an acute one for the city and the concern was that numbers could increase further due to the natural draw of the city, the impact of welfare reforms and the high cost of accessing and sustaining accommodation in the city's private rented sector. It was recognised that implementation of the city's current approach to rough sleeping needed to be fully implemented and constantly renewed and updates as circumstances changed in order to ensure that the city's commissioners, service providers and voluntary sector groups were working in partnership to a clear strategic plan which would reduce rough sleeping in the city and improve outcomes for rough sleepers and those at risk of rough sleeping.
- 23.5 Councillor Moonan welcomed the report which set out the scale of the problem and the challenges which faced the city and its partners in addressing which included the not insubstantial barrier posed by the lack of affordable housing.
- 23.6 Councillor West concurred stating that in his view it was important to recognise the bigger picture considering that it might be appropriate to write to the Minister for Housing to seek to ensure that the underlying causes of this problem was addressed in the Government Green Paper. Councillor Cattell considered that it was important to press for use of HRA monies to be able to be used to fund house building, this was an issue with a number of local authorities across the country were struggling.
- 23.7 The Chair, Councillor Daniel stated that as this issue cut across the responsibilities of a number of committees it was important that this Committee did not step outside of its remit. Councillor Bewick sought legal advice on the matter also stating that he considered that more money needed to be made available by central government in order to address this and inter-related issues. The Committee were advised by the Head of Legal Services, Elizabeth Culbert that although the report cut across the responsibilities of several Committees it would be in order for the Committee to forward the report to Full Council for information.
- 23.8 In answer to questions by Councillor Simson it was explained that the numbers were static at present but fluid i.e. that individuals moved in-out of rough sleeping. Not all who came to the city stayed there and ultimately intervention helped to prevent rough sleeping by some and some were assisted out of rough sleeping. In the case of the latter given the needs and vulnerabilities of such individuals which were often complex and deep seated that often took a longer period of time to achieve.
- 23.9 Councillor Peltzer Dunn noted all that had been said considering that it was important to note all that was being put into place to address this issue considering that it would be helpful if a future update report could include recommendations which the Committee could agree to address this issue going forward.
- 23.10 Councillor West stated that he was firmly of the view that the report should go forward to Full Council for noting and the Chair suggested that it might be appropriate (outside of the Committee meeting) for the relevant members to discuss whether it would be appropriate to put forward a Cross-Party motion in relation to this matter.
- 23.11 **RESOLVED:** That the report be noted.

27 ITEMS REFERRED TO COUNCIL FOR INFORMATION

RESOLVED: That the following items be referred to the next full Council meeting for 27.1 information:

Item 23 Rough Sleeping Strategy Progress Update Item 25 Universal Credit Readiness and Response

NEIGHBOURHOODS, INCLUSION, COMMUNITIES & EQUALITIES COMMITTEE

Agenda Item 23

Brighton & Hove City Council

Subject: Rough Sleeping Strategy Update

Date of Meeting: 9 October 2017

Report of: Executive Director Neighbourhoods Communities and

Housing

Contact Officer: Name: Simon Newell Tel: 01273 291128

Email: <u>Simon.newell@brighton-hove.gov.uk</u>

Ward(s) affected: All

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The report provides a progress update on the implementation of the Rough Sleeping Strategy.

2. **RECOMMENDATIONS:**

2.1 That the committee note this report.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Rough Sleeping Strategy was approved by the Local Authority and partners and signed-up to by Brighton & Hove Connected in June 2016.
- 3.2 The issue of rough sleeping remains acute with a visible presence on the streets. This not only impacts on the individual's life chances, but also the city's reputation and costs to public services and business.
- 3.3 The numbers of rough sleepers remain stable, though national and therefore local numbers are predicted to increase in the coming 12 months¹.
- 3.4 It is estimated² that there are currently around 30 new arrivals to the city per week that are either already rough sleeping or at risk of rough sleeping. This means that local agencies have to work effectively together with over 1500 individuals per year, of which approximately 1,300 cases are diverted or signposted elsewhere to ensure that this does not result in significant increases in rough sleeping locally. The numbers who come from outside the city and those with a local connection is currently a 50-50 split. The vast majority of individuals have complex needs, often relating to substance misuse and mental health issues connected with their vulnerability.
- 3.5 The strategy that was approved unanimously and signed up to by all local agencies in June 2016 is now being closely monitored and all activity reviewed to ensure that we achieve the most effective outcomes for rough sleepers and the city as a whole.
- 3.6 The post of Rough Sleeper Strategy Coordinator has been recruited to. This will further improve the implementation of the strategy and will ensure that all agencies are working effectively together to achieve the results required.

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¹ Crisis Report Homelessness projections: Aug 2017

² BHT First Base Day Centre and St Mungos

- 3.7 The strategy contains the following 5 priorities:
 - Priority 1: Prevent Homelessness and Rough Sleeping.
 - Priority 2: Rapid Assessment and Reconnection.
 - Priority 3: Improving Health.
 - Priority 4: A Safe City.
 - Priority 5: Pathways to Independence.
- 3.8 Each priority contains specific goals and actions and detailed progress updates against all actions contained within the strategy; these can be seen in appendix.1 Some key achievements are:
 - Successful launch and implementation of alternative giving scheme 'Make Change Count'.
 - Successful launch of BThink a system to effectively share information concerning rough sleepers to ensure that they get the best possible service.
 - Successful recommissioning of homeless support services.
 - Successful tender and appointment of a support service 'The Passage' to coordinate and guide third sector voluntary services.
 - Successful initial phase of Trailblazer project to prevent tenancy breakdown and rough sleeping.
 - Successful funding application for Social Impact Bond to improve outcomes for entrenched rough sleepers – full roll out due October 2017.
- 3.9 Significant barriers remain to the achievement of a sustained reduction in rough sleeping including:
 - Lack of suitable move on accommodation for existing hostel residents, leading to blockages in Direct Access Hostel accommodation.
 - Increasing numbers of individuals with complex needs.
 - Reduced resources across all sectors dedicated to dealing with rough sleepers.
- 3.10 Future actions planned to ensure effective implementation of the strategy include:
 - Refine and further prioritise activity to ensure the most effective use of limited resources.
 - Ensure that a governance system is in place and operational sub groups are functional, appropriately supported and delivering the outcomes required.
 - Explore options and seek agreement on move on housing options.
 - Provision of extended Night Shelter service.
 - Completion and implementation of multi-agency protocol to ensure effective coordination of services including commissioned and non-commissioned third sector services.
 - Further engagement of non-specialist partners in the business sector, providing a whole city approach to reducing street homelessness.
- 3.11 A further update on the implementation of the strategy will be brought to NCE in 6 months' time.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Rough sleeping in Brighton & Hove is complex and requires a variety of interventions to move toward a successful outcome. In that sense, there is not a single 'alternative option' that is useful to describe at this stage.
- 4.2 There is a culture of developing new and innovative approaches to solving the issue of rough sleeping and these will continue to be developed and tested as the work continues. Members will retain oversight of these developments.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The development and implementation of the strategy has been and continues to be widely consulted upon, engaging businesses, community and voluntary sector organisations as well as communities themselves.

6. CONCLUSION

- 6.1 The issue of rough sleeping remains an acute problem for the city. This not only impacts on the individual's life chances, but also the city's reputation and costs to public services and business.
- 6.2 There is concern that numbers could increase further with the natural draw of the city, the impact of welfare reforms and the high cost of accessing and sustaining accommodation in the city's private rented sector.
- 6.3 The implementation of the city's current approach to rough sleeping needs to be fully implemented and constantly renewed and updated as circumstances change to ensure that the city's commissioners, service providers and voluntary sector groups are working in partnership to a clear strategic plan that will reduce rough sleeping in the city and improve outcomes for rough sleepers and those at risk of rough sleeping.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

The implementation of the strategy is expected to have no significant financial implications to the council. The salary of the Rough Sleeper Strategy Co-ordinator post and other costs are to be met by external funding.

Finance Officer Consulted: Name Peter Francis Date: 06/09/17

Legal Implications:

This report is for note only and forms part of a body of work which has been ongoing for some time as part of a wider strategy. What is important to note is the Homelessness Reduction Act 2017 has received Royal Assent. Unfortunately it is not fully clear its impact as not all of the regulations have yet been put in place and the resource implications are to be identified. There will be significant overlap between the duties under the act and the strategy and there may need to be a realigning of the strategy in parts.

Lawyer Consulted: Name Simon Court Date: 11/09/17

Equalities Implications:

7.1 Rough sleepers are a vulnerable group more likely to have contact with the criminal justice system, have drug and alcohol related health conditions, be excluded from mainstream services and have much worse outcomes than other groups. Measures to reduce rough sleeping will have a direct impact on reducing inequality in Brighton & Hove. An Equalities Impact Assessment has been completed for this draft strategy and is available on request.

Sustainability Implications:

7.2 There are no sustainability implications as a direct result of this report.

SUPPORTING DOCUMENTATION

Appendices:

- 1. Other significant implications
- 2. Rough Sleeping Strategy Strategic Action Tracker
- 3. Report to Housing & New Homes Committee 20/09/17 Single Homeless Accommodation Support Services

Documents in Members' Rooms

None

Background Documents

None

Crime & Disorder Implications:

Rough sleepers are more likely to commit crime and be the victim of crime. Measures to reduce rough sleeping will decrease the level of crime and perception of crime and increase the availability of the emergency services making the city a safer place for residents and visitors alike.

Risk and Opportunity Management Implications:

Genuine good practice that does not simply result in rough sleepers being pushed to less visible locations appears limited and highlights the challenge faced by the city. We need to ensure that our approach does not view rough sleepers as a problem to move but provides real solutions to prevent rough sleeping and improve the lives of those affected.

Public Health Implications:

As part of the Better Care initiative overseen by the Health and Wellbeing Board, an integrated health and care model for the single homeless is being developed. Although the remit of this work is broader than rough sleeping, it will be closely linked with the emerging work to develop a Rough Sleeping Strategy.

Corporate / Citywide Implications:

If we do not reduce rough sleeping there will be:

- More early deaths wasted lives
- Reputation damage as a caring city
- Tourism impact from street begging
- Crisis pressure on Police, A&E and other services
- Crime / ASB associated with rough sleeping / street drinking
- Increased costs to the local authority, Police and NHS
- Increased use of acute services

Brighton & Hove - Rough Sleeping Strategy 2016

Strategic Action Tracker



Priority 1: Prevent Homelessness and Rough Sleeping

Goal 1: Develop a consistent citywide approach to prevent homelessness and rough sleeping

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Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved	
Encourage all partners to pledge their support to the vision, partnership work and priorities of this strategy.	Sign up event July 2016.	BHCC Adult Services	Sign up to strategy took place at launch event at First Base.	
Review routes in/out of street life and how organisations work together to prevent homelessness and move people away from the streets.	Process mapping with statutory and third sector groups 2016/17 to inform the Protocol.	BHCC Adult Services; St. Mungo's	Third Sector led Campaign (by DLYMCA) to End Rough Sleeping, Brighton & Hove Cares, to hold a Connections week in November 2017 to interview every rough sleeper in the city using community volunteers. The aim is to connect the city to the issue of rough sleeping and to gather information on why people have ended up on the street. From the information gathered services can be developed and realigned to provide the most effective solutions to rough sleeping. Data analysis will be provided by Public health. Existing data is collated by St Mungo's and other services.	
Develop a Multi-Agency Protocol for Brighton & Hove. Ensure the Protocol is promoted and understood by staff, volunteers and residents.	Protocol agreed by March 2017 with St Mungo's. Roll out communications from April 2017.	BHCC Adult Services; St. Mungo's	A draft protocol has been developed. The next stage is to refine the protocol so that it can be used and understood by all stakeholders in the city. Once agreed the protocol will be launched.	

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Ensure a rolling communications programme on reducing rough sleeping that engages the general public.	Roll out communications from July 2016.	BHCC Communications; BHCC Adult Services	Clear messages required from services for inclusion in the ongoing proactive communications strategy. Continue to increase awareness of 'Make Change Count' campaign, promoting online donations to homelessness support services.
Ensure that awareness of the 'Make Change Count' campaign is maximised.	Relaunch on 7 th August	BHCC Communications; BHT	Further push for BHCC and the charities to get posters out by end of September. Digital billboard advert also run final week of September. BHT to update Justgiving website.

Goal 2: Improve housing options for single person households

Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved
Publicise where to go for assistance and to seek help at an early stage.	Incorporate into the Multi-Agency Protocol.	BHCC Housing	Currently devising a communications plan as part of the Trailblazer project about seeking help at an early stage. Flyer and webpage to be launched in October 2017.
Develop an easy early referral mechanism so that other professionals (e.g. GPs, Police, social care) can direct clients to housing advice before crisis point.	Review use of information prescriptions for housing advice.	BHCC Housing Trailblazer	Developed draft on-line form for professionals which we are working with Communications team on; in use for use by end September. Have links to information prescriptions on housing web pages. Contact email in place earlyintervention@brighton-hove.gov.uk . 48 clients engaged with to date (22/09/17).
All partners to be aware of the housing market and benefit rates.	Circulate B&H Housing Market Reports to Partners.	BHCC Housing; BHCC Adult Services	Supported accommodation providers and outreach teams are aware of the housing market and benefit rates. Universal training has also been offered to all providers. Taken to Homeless Operational Forum so they have links and they are available on our web pages. TB coordinators are also sharing it with other agencies.

Investigate creative solutions to increase accommodation options (such as lodgers, temporary modular homes and rent deposit schemes).	March 2017	BHCC Adult Services; BHCC Housing	Umbrella Group commenced, so far positive outcomes. Commissioning is investigating night shelter provision. YMCA Downslink YCubes — committee approval June 2017. Trailblazer expanding Night Stop provision to over 25s as well as existing service for under 25s. Rough sleepers can only access if there is capacity and if the rough sleepers are actively being worked with. Housing and ASC are exploring obtaining PRS under rent deposit scheme.
Improve access to housing information to raise awareness affordable housing options locally and in other parts of the country.	IT approach to be developed.	BHCC Housing	A 6 monthly event with Housing management to promote alternative options to move has been agreed. Housing have also set up accommodation finding drop-in for people who are using other intervention e.g. Night Stop, to demonstrate they are positively engaging with moving on and getting help to get tenancy ready e.g. attending Council run workshops. This is also focused on those in our Temporary accommodation to enable them to move on.

Priority 2: Rapid Assessment and Reconnection

Goal 3: Provide rapid assessment, support planning and effective reconnection for those new to rough sleeping

for those new to rough steeping			
Strategic Action	Target	Lead Partner	Progress to Date/Outcomes Achieved
Set up a permanent assessment centre(s) with temporary (sit-up) beds.	Operational March 2017	BHCC Adult Services	Unsuccessful tender. One bid was made but assessed as unsuitable. Tender currently being revised while pilot of a short stay assessment service is to be launched in late October with St Mungo's. Steering group set up which is managing the development of the pilot.
Develop integrated and coordinated joint assessments and support planning across housing, care and health (including primary care, SCT, SPFT, BSUH and community & voluntary sector).	All clients to have their own Multi-Agency Plan. Pilot late 2016 to go live March 2017.	BHCC Adult Services; BHCC Housing; St. Mungo's; NHS Partners;	Linked to launch of Bthink July 2017, roll out to agencies and services will ensure coordinated plans. Trailblazer funded social work leading on work with homeless people and rough sleepers. Operational manager in post to lead on homeless issues. Housing is awaiting access to Bthink. Housing will be responsible for developing Personalised Housing Action Plans which is a statutory requirement under the Homelessness reduction Act along with a requirement for public bodies to work with Housing to address housing need through the housing Action Plan. Under the TB project plan this is scheduled for launching trial mid-September with Housing needs.
Share client information across all partner organisations to ensure a consistent approach and improve interventions / outcomes.	March 2017	BHCC Adult Services	Bthink launched with St Mungo's July 2017. Roll out to partner organisations once data protection review has been completed.

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Ensure a swift response to enable a No Second Night Out approach.	Incorporate into Multi- Agency Protocol.	BHCC Adult Services; BHCC Housing	Role of Trailblazer in reducing rough sleeping. TB early intervention will aim to prevent homelessness at an earlier stage. For those who become rough sleepers, the Rough Sleepers Grant Actions will come into play.
Work with providers and charities to ensure safe and sustainable reconnections.	Memorandum of Understanding to be developed relating to good practice.	BHCC Adult Services; SHORE	Consistent approach to be taken by services.

Goal 4: Target people sleeping rough with complex needs to ensure there is an integrated plan to move people into accommodation

Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved
Provide temporary beds for those with complex needs to ensure engagement before reconnection assessment.	Set up a permanent assessment centre(s) with temporary (sit-up) beds by March 2017.	BHCC Adult Services	Unsuccessful tender of in-house accommodation tender. Tender currently being revisited while trial of assessment service is made. Steering group set up which is currently managing the development of the assessment and sit up beds trial.
Implement a scheme to target those entrenched / complex rough sleepers based on bespoke responses to individual needs through a multi-agency response.	Scheme late 2016	BHCC Adult Services; St. Mungo's	SIB grant funding in place. Tender out July 2017, new service mobilised by October 2017. ASC currently in negotiation with two providers. Multiple and complex needs accommodation service to be commissioned.

Goal 5: Ensure services are sensitive to the needs of all vulnerable groups including LGBT people, young, older, women and ex-service personnel

including Edb' people, young, older, women and ex-service personner			
Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved
Ensure providers implement recommendations of Stonewall Housing LGBT report.	Include recommendations in Multi-Agency Protocol.	BHCC Adult Services; BHCC Housing St. Mungo's	Implemented across all HASC commissioned services.
Consult women and other groups about delivery of service which best meet their needs.	Develop women only accommodation provision.	BHCC Adult Services	Women only service tendered and awarded following comprehensive consultation with service users and research into good practice. To be mobilised late 2017.
Continue to develop the Young People's Accommodation and Support Pathway.	Young people's bed spaces in the Housing First Jan 2016.	BHCC Adult Services; BHCC Housing; BHCC Children's Services	Complete. Housing chair Young People's Supported Accommodation Panel and involved with ASC in commissioning of young people's services.
Ensure Care Act assessments are carried out for older and frail people sleeping rough.	Include in integrated joint assessments across housing, care and health March 2017.	BHCC Adult Services	Statutory duty is being fulfilled.
Maintain commitments to ex- Armed Forces personnel through the Armed Forces Covenant.	Monitoring and reporting of rough sleeping amongst exforces personnel.	BHCC Adult Services; Armed Forces Network	In place. Quarter.1. 2017/18 figures show 6 expersonnel seen by support services; this is 1.7% of those worked with. All 6 cases are now closed.

Priority 3: Improving Health

Goal 6: Improve health and care outcomes through the delivery of integrated and flexible service

Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved
Commission services to deliver new integrated health and social care model for homeless.	March 2017	Brighton & Hove CCG; BHCC Adult Services; BHCC Public Health	Joint procurement NHS E and CCG for specialist primary care and primary care plus services. Contract started February 2017 with new provider ARCH CIC. Regular mobilisation meetings being held. SCFT contract for specialist homeless services aligned. Increased GP sessions, and outreach sessions. New patient health checks, MDT meetings continuing. PPG established Workshop held in June 17 to agree next priorities and to develop Integrated Health and Care Steering Group work plan – mental health response identified as key priority.
Review access and delivery to assessment (including Mental Capacity Act and Care Act) to ensure the needs of those who are sleeping rough, or at risk of rough sleeping, are identified.	March 2017	BHCC Adult Services; CCG and NHS Trusts (BSUH, SPFT, SCFT); Other Services	Statutory duty is being fulfilled. A fortnightly multiagency meeting supports joint assessment and support planning and the development of joint plans and agreement on key working
Ensure professionals and staff are trained and skilled to deliver the model of care, including joint assessment and care planning.	June 2017	CCG and NHS Trusts; BHCC; Third Sector Providers	Wellbeing CQUIN (Commissioning for Quality and Innovation payments framework) – included mental health training provision for hostel staff. New ARCH primary care contract includes training role. Training delivered includes Whitehawk GP reception staff and ARCH has started to deliver

			training to other city practices.
Align substance misuse services including co-location of workers, and joint assessments where possible.	June 2017	Pavilions and Public Health	Pavilions and supported housing hostels have been having 3 monthly reviews and care plan reviews between care coordinators and keyworkers. Fulfilling Lives led on this piece of work. Dual Diagnosis CPN funded through Homeless Grant located in Mental Health Homeless Team. Outreaching to RS with team. DD group within ARCH jointly run by Experts by Experience and CPN.

Goal 7: Ensure those on the streets continue to have access to emergency shelter during extreme weather

Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved
Review Severe Weather Emergency Provision protocols.	September 2016	BHCC Adult Services	Review complete. Service due for retender in 2018.

Priority 4: A Safe City

Goal 8: Focus on managing risks, preventing harm and promoting appropriate behaviour

Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved
Work with partner agencies to ensure they are not inadvertently entrenching the street community.	Number of agencies who have been briefed. In progress.	Adult Social Care; Council Housing; Communities Team; Third Sector	Funding from DCLG awarded for a charity project to The Passage. Staff in place and started work in June 2017 to work with the church, community and voluntary sector.
Engage the street community to understand their impact on others.	Reduced ASB reported perpetrated against, and by, street community people.	Sussex Police; BHCC Community Safety Team	Weekly action day with partner agencies, Close relationship with accommodation providers enabling support and intervention for residents. Daily sweeps by team signposting to relevant support. Operation street process for third party reporting system.
Support people into appropriate treatment services where possible. Give advice on harm reduction including safe disposal of drug litter.	Number of street community people accessing treatment. Reduction in drug litter in public places.	BHCC Public Health	Over the financial year 2016/2017, the Equinox outreach team have worked with 81 different clients who are rough sleeping or in hostels. Of these, 12 have been supported to enter structured treatment and 10 have been supported to enter rehab. The outreach team also supported clients already in treatment to attend appointments, and this represented 129 interventions. The community substance misuse service is working with community pharmacy providers of needle exchange to ensure that safe disposal of drug litter is promoted. Public health analysts are currently compiling data on drug litter in the City from various sources and this will be reported in the next Rough Sleeping Strategy Action Planner.

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Take action where necessary to reduce the risk and harm.	Reduced ASB reported perpetrated against, and by, street community people.	Sussex Police; BHCC Community Safety Team	High Impact case work forum monitors effect subjects can have on both street community and wider population. Op Street third party reporting system allows monitoring of persistent offenders/victims. Immigration operations allow targeting of non UK nationals breaking treaty rights.
Use tenant and resident support services where appropriate to manage behaviour on the street.	Reduced ASB reported perpetrated against, and by, street community people.	BHCC Housing; BHCC Adult Services	Rough Sleeper outreach team liaise with resident groups affected by rough sleeping activity.

Goal 9: Promote alternatives to discourage street life and begging

Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved
Promote alternatives to giving to beggars focussed on helping people move away from street life.	Use communications to sustain and embed alternative giving in the public psyche.	BHCC Communications Team	Successful launch of Make Change Count July 2017, with 5 local charities benefitting

Priority 5: Pathways to Independence

Goal 10: Have a flexible accommodation pathway that responds to changing needs

Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved
Ensure emergency, temporary and supported accommodation is safe and a suitable quality.	Regular monitoring and inspections of accommodation with action plans where necessary.	BHCC Housing Services; BHCC Adult Services	Commissioned supported accommodation is regularly monitored under the HASC contract monitoring framework which includes service user and stakeholder feedback. All services were contract monitored in 2016/17. Regular visits take in place.
Ensure emergency, temporary and supported accommodation supports wellbeing.	Introduction of Psychologically Informed Environments in all hostels by March 2017.	BHCC Housing Services; BHCC Adult Services	Supported accommodation tenders for all accommodation and support include PIEs, improving access to services and improving health and wellbeing. 'Just Life' is a charity commissioned by CCG and NHS England working the TB team providing life skills support for those in emergency and temporary accommodation.
Review eviction protocols in emergency, temporary and supported accommodation.	Eviction protocols reviewed by March 2017.	BHCC Housing Services; BHCC Adult Services	In supported accommodation services, there is a new unplanned moves policy in place launched Dec 2016 to minimise people returning to rough sleeping. This is being monitored through quarterly service contract monitoring of supported accommodation providers.
Allow flexibility for those with complex needs when making nominations to supported accommodation.	Incorporate into the Multi-Agency Protocol.	BHCC Adult Services	New multiple and complex needs accommodation service to be commissioned. Out to tender October 2017.

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Remodel and recommission supported accommodation within the integrated support pathway.	Remodel and recommission 2016. Mobilise 2017.	BHCC Adult Services	Tranche 1 tender complete – high and medium supported accommodation to be mobilised by Sept 2017. Tranche 2 tender – low support and womens service awarded in July 2017. Tranche 3 tenders work and learning & peer support due for release Oct 2017.
Implement findings of review Homeless Strategy Working Groups.	Implemented by March 2017.	BHCC Adult Services; BHCC Housing	New meetings and priorities are being established. Proposals will be presented to the Rough Sleeping Board by the end of 2017 for sign off.
Recommission Peer Support services.	March 2017	BHCC Adult Services	Tender due for release October2017.
Commission Work and Learning services.	June 2017	BHCC Adult Services	Tender due for release October2017.
Encourage social enterprise solutions between the Third Sector and business community that provide work and learning opportunities for service users.	To be discussed as part of consultation.	BHCC Adult Services; Third Sector; Business Community	Encouraged and supported by Community and Voluntary Sector DCLG funded post.

Goal 11: Develop bespoke supported housing options where appropriate

Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved
Deliver new supported scheme for older people with complex needs.	Accommodation to be sourced and developed March 2017.	BHCC Housing	No accommodation found. HCA funding returned to the DCLG. New property identified and new HCA bid made by Housing.
Commission Housing First accommodation with units for young people.	Contract live January 2016.	BHCC Adult Services	Action Complete.

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Consult women and other groups about delivery of service which best meet their needs.	D evelop women only accommodation Provision.	BHCC Adult Services	Consultation completed. Women only service awarded for mobilisation late 2017. Annual consultation to be embedded with service users of supported accommodation, outreach and day centre service users
Explore options to develop the most effective type of supported housing or alternative solutions appropriate to clients' needs.	Ongoing review of local, national, government and International opportunities for good practice and funding.	BHCC Adult Services; BHCC Housing; BHCC Regeneration; BHCC International Team	To be developed at the Accommodation Board. The regeneration team continue to progress the New Homes for Neighbourhoods programme to build new council homes. As Part of this work the team is working with YMCA DownsLink Group to develop up to 21 Y:Cube homes for local, young, single people and received committee approval for this project in June 17.

Goal 12: Ensure timely move on to independent accommodation

Strategic Action	Target	Lead Partner	Progress to Date/Outcome Achieved
Ensure all those on the pathway to independence have a move-on plan developed at an early stage.	Incorporated as part of the new model tender March 2017.	BHCC Adult Services	Included in all tenders and services being mobilised. Move on Co-ordinator post being recruited to support hostels with complex cases. Ongoing intense monitoring of HASC Commissioning of Move on Plans of all service users. PRS access guidance being developed to support providers and service users.
Work with third sector and landlords to source secure accommodation suitable for single people.	Target to be developed in 2016.	BHCC Adult Services; BHCC Housing; Third Sector	Umbrella Group is working with the credit union to assist people to access PRS with the help of loans. PRS access service level agreement to be signed with Housing so that properties are procured for rough sleepers and single homeless people. To be piloted for 1 year.

Ensure those ready for general needs accommodation are supported to manage their tenancy.	Incorporate into the Multi-Agency Protocol.	BHCC Adult Services; Third Sector	Floating support service is in place to accept referrals. In addition supported accommodation providers are monitored on the sustainability of the people who move on from their services.
Improve access to social housing where appropriate to meet needs of those ready.	Allocations Policy Review in progress 2016/17.	BHCC Housing	EIA identified that the impact of the new Allocations Policy means that people in supported accommodation may find it harder to access to social housing than members of the general public. But this was not a significant impact and there are mitigations. Housing is developing additional accommodation on smaller sites and in conjunction with Hyde Housing as a Joint venture.

Subject: 1. Single Homeless & Rough Sleeper

Accommodation and Support Services

2. Young People's Housing Advice & Supported

Accommodation

Date of Meeting: 20th September 2017

Report of: Rob Persey, Executive Director Health & Adult

Social Care

Contact Officer: Name: Jenny Knight Tel: 01273 293081

Email: Jenny.knight@brighton-hove.gov.uk

Ward(s) affected: All

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report is being provided for information only.
- 1.2 The report is being provided to update Housing & New Homes Committee on the progress of two previous committee reports.
 - Single Homeless & Rough Sleeper Accommodation & Support Remodelling & Tender Report presented on the 21st September 2016
 - Young People's Housing Advice and Supported Accommodation Report presented on the 16th November 2016.
- 1.3 Following consultation with stakeholders and service users new models of accommodation and support for single homeless adults and homeless young people were developed in 2015/16 to respond to increasing demand and the changing demographics of service users. Since the presentation of the remodelling proposals work has commenced to remodel and retender services. This report provides the first update on progress in this area.

2. **RECOMMENDATIONS:**

2.1 That this report is noted.

3. CONTEXT/ BACKGROUND INFORMATION

Single Homeless Adults and Rough Sleepers

- 3.1 On the 21st September 2016 a report was presented to Housing & New Homes Committee which provided an overview of the new model of accommodation and support for single homeless adults and rough sleepers. This report covered
 - Commissioned accommodation and support services for homeless people and rough sleepers.

- Hostel accommodation and support services directly provided by Brighton & Hove City Council.
- 3.2 The contracts for the majority of homeless and rough sleeper services came to an end on the 31st March 2017. Some services such as the Rough Sleeper Outreach Service, Housing First Service and the Floating Support Service for those in independent accommodation had already been re-procured prior to the report but others were included in the remodelling and tender plan. The retender process is to take place in three stages. See Appendix 1 for services to be tendered.
- 3.3 Services are being remodelled to improve outcomes for service users by creating psychologically informed environments which work with service users in a personalised way. The services will work within the recovery model supporting individuals to recover from homelessness, substance misuse and physical and mental ill health. They will also support service users to access meaningful occupation through community groups, leisure activities, peer support, employment and education.

Tender Stage 1: High Support Accommodation

- 3.4 As part of the remodelled accommodation for homeless people and rough sleepers a competitive tender process has taken place for high support accommodation. High support accommodation is defined as a 24 hour supported accommodation service with individual key work support for at least 5 hours per week per service user. The procurement for high support accommodation included two tenders one for generic high support and one for a specialist high support service for people with multiple and complex needs.
- 3.5 The tender for high support accommodation has been awarded to:
 - Brighton Housing Trust 52 units of accommodation.
 - Brighton YMCA 23 units of accommodation.

The evaluation panel for the tenders were extremely impressed by the quality of the tenders submitted. Both Brighton Housing Trust and Brighton YMCA currently provide supported accommodation services within the city, however the tenders offered a new model of support which included comprehensive day activities programmes, asset based work with service users and psychologically informed environments based on national good practice¹.

3.6 Brighton Housing Trust and Brighton YMCA high support accommodation have been mobilised and the services commenced on the 1st September 2017.

¹ Psychologically Informed Environments are a way of working with individuals who have suffered trauma to support them out of homelessness.

http://www.homeless.org.uk/sites/default/files/site-attachments/Creating a Psychologically Informed Environment - 2015.pdf

Asset or Strength Based working is a way of helping people by looking at what they have, rather than what they lack. This approach helps people make use of their existing skills, knowledge and relationships. It is also called a 'Strength-based approach', and can be used as a way of improving local areas, by promoting what is good about an area rather than focusing on problems http://homelesshub.ca/toolkit/subchapter/strength-based-approach

- 3.7 The tender for the multiple and complex needs high support service was not awarded following the procurement process. A review has taken place and the decision has been taken to re-tender the multiple and complex needs service using the council provided New Steine Mews service. The financial envelope for the tender has been increased due to feedback from the previous unsuccessful tender of New Steine Mews. Following consultation with staff and unions this service will go out to tender in October 2017.
- 3.8 As part of the September 2016 report H&ASC Commissioning had estimated that the tender for high support would generate 80 units of accommodation however we are on target to exceed this with 75 units of our proposed 80 units of high support accommodation already commissioned. The high support multiple and complex needs service of 24 units of accommodation is still to be commissioned.

Tender Stage 1 – Medium Supported Accommodation

- 3.9 The council has been through a competitive tender process for the provision of medium support accommodation within the city. This is defined as a support service providing around 4 hours individual support per person per week. Medium support accommodation was not something that had previously existed within the city in the former Integrated Support Pathway. A needs analysis and stakeholder feedback identified the need for a service of this type.
- 3.10 The tender for medium support accommodation has been awarded to Brighton YMCA who are providing 95 units of accommodation across two sites. The service offers 24 hour supported accommodation with specialist support staff, counselling services and the delivery of skills and work and learning training on site. The service also provides an asset based, psychologically informed service model.
- 3.11 As part of our September 2016 report we anticipated that we would receive 80-100 units of medium support accommodation for our budget. The 95 units of medium support accommodation that have been procured are at the top end of our expected number and represent good value for money for BHCC.
- 3.12 The medium support accommodation service for single homeless adults commenced on the 1st September 2017.

Tender Stage 1 – Assessment Service

3.13 New Steine Mews Hostel which is currently managed by Brighton & Hove City Council was part of a competitive tender process to develop a new assessment service. This tender attracted limited interest and having evaluated the quality of the bids the evaluating panel was unable to recommend the award of the contract. The service requirement has therefore been reviewed and a revised specification developed for an assessment service. The intention is to issue a tender towards the end of 2017/18 for this service. Following a review of the best use for building it has been decided to tender New Steine Mews as the multiple and complex needs service in 3.7.

Tender Stage 2 - Low Support Accommodation & Women Only Accommodation

- 3.14 Stage 2 of the single homeless and rough sleeper procurement process has commenced with tenders evaluated in July 2017.
- 3.15 The first tender was for Low Support Accommodation which is defined as an accommodation based service which offers 1-2 hours of support per week to individuals who have a low need for Housing Related Support. These individuals may come through high and medium support accommodation or they may come straight from emergency placement accommodation, rough sleeping, hospital or prison.
- 3.16 The main aim of a low support service is to support people to move towards independent accommodation this is done by providing support to
 - Develop resilience.
 - Access training and employment
 - Develop networks and support within the local community
 - Prepare individuals for managing and maintaining a successful tenancy.
- 3.17 We sought a minimum of 80 units of accommodation through the tender process. This will add to the 53 units of low support accommodation provided by Southdown which was procured in July 2016.
- 3.18 The second tender is for a woman only high and medium supported accommodation service. This service will offer a minimum of 20 units of high support and medium supported accommodation.
- 3.19 The service will offer a specialist service for homeless women many of whom have suffered significant trauma and have complex support needs.
- 3.20 All tenders are evaluated by a panel of experienced individuals from relevant departments. The membership of the panel varies with the service being tendered but recent tenders have included representatives from Housing, Public Health, Children's Services, Community Safety and the CCG.
- 3.21 The Low Support Service has been awarded to Brighton YMCA who are providing 107 units of supported accommodation.
- 3.22 The women only high and medium support service has been awarded to Equinox.
- 3.23 Both services are currently in the early stages of mobilisation.

Tender Stage 3 – Peer Support, Education & Access to Employment

- 3.24 The review and consultation process clearly indicated a need for peer support services and additional services which support individuals with core skills and access to skills, education and employment.
- 3.25 Service user feedback has been clear on the benefits of receiving support from those with lived experience of homelessness and rough sleeping both for the

- recipient of the support and for the peer mentor. Tender documents for this service have been finalised and will be issued in September 2017.
- 3.26 A tender specification has been developed for a coaching based service to support individuals to access work, learning and volunteering opportunities and this is also due to be issued to providers in September 2017.
- 3.27 The Core Skills service commissioned through The Friends Centre will continue to provide core skills teaching in the areas of literacy, numeracy, IT and ESOL.
- 3.28 Finally work is being undertaken jointly with the CCG to increase the support provided by Occupational Therapists who have proved an invaluable resource in enabling people in high support accommodation to progress with their recovery through one to one and group work.

Tender Stage 3 - Substance Misuse & Physical Health Accommodation Service

3.29 This service was the result of a successful joint bid with Housing to the HCA for capital funding for a new service. Accommodation for this service has been identified through Housing ande are continuing to work together to bring this project to fruition. A paper will be brought to a future Housing & New Homes Committee.

Young People's Accommodation & Support Services

- 4. In November 2016 Housing & New Homes Committee approved a proposal by the Executive Directors of Health & Adult Social Care, Neighbourhoods, Communities & Housing and Families, Children & Learning to remodel and retender accommodation and support services for homeless young people.
- 4.1 That report noted that:
 - Families, Children & Learning and Health & Adult Social Care jointly commission services for the prevention of homelessness of vulnerable young people between the ages of 16 and 25 to enable them to live safely and independently,
 - These services together form the "Young People's Accommodation and Support Pathway" and include:
 - A drop-in housing advice service, which also acts as the gateway to other services in the Pathway (the 'Housing Advice Service')
 - Family support and mediation
 - Nightstop (short stays with volunteer hosts)
 - Mixed model of supported accommodation for young people aged 16-25
 - o Tenancy support service for 18-25 year olds living independently
 - Two Housing First units
 - Supported lodgings service
 - Spot-purchased accommodation for Unaccompanied Asylum Seeking Children and 16-17 year olds with high support needs

- Of the services listed above the housing advice, family mediation and supported accommodation services were due for retendering.
- 4.2 Tenders for young people's services are being launched in two phases:
 - the combined Housing Advice and Family Mediation Service, followed by
 - the accommodation based services.

Tender Stage 1 - Housing Advice & Family Mediation Service

- 4.3 The tender for the Housing Advice and Family Mediation Service was launched in January 2017 and evaluated in March 2017 by a panel of representatives from Children's Services, Housing, Public Health and Health & Adult Social Care, all with close strategic and operational working relationships with services for young people.
- 4.4 The tender for Housing Advice and Family Mediation Service was awarded to YMCA Downslink Group in April 2017. In the judgment of the tender panel, the winning tenderer put in an excellent bid, leaving B&HCC with confidence for the future effectiveness of this vital service.
- 4.5 YMCA Downslink Group are the current provider of the service and the organisation has undertaken a fundamental review of the service in response to the specification issued by Health & Adult Social Care. The new service includes
 - Assertive outreach, with ideas for identifying young people who may be at risk
 - A new focus on strengthening family relationships
 - Psychologically informed practice
 - Social Value through a diverse high-street and community approach
 - Interventions to support young people into education and employment, including a volunteer training scheme
- 4.6 The mobilisation of the Housing Advice and Family Mediation Service is complete and the service commenced on the 1st August 2017. The tender of the service has enabled the successful provision of a refocussed service offering better value for money for BHCC.

Tender Stage 2 - Supported Accommodation for Young People

- 4.7 The specification for joint commission of supported accommodation services has been completed, in discussion between Health & Adult Social Care and Children's Services is now with internal stakeholders for comment.
- 4.8 The accommodation based services will be procured through a Dynamic Purchasing System which is a framework for establishing an approved provider list with the ability to tender for accommodation based support services in response to service user need. A DPS has aspects that are similar to an electronic framework agreement, except that during its lifespan new providers can apply to join the DPS.
- 4.9 The tender process for accommodation based services is expected to commence in Autumn 2017. (see Appendix 2 Accommodation procurement)

Other Developments:

5. BThink IT System

As reported in the September 2016 report a bespoke IT system is being developed to support referrals and collect client data. This system is similar to the CHAIN database operating in London, which is considered to be invaluable by services and Commissioners using it and is recommended as best practice by the Department of Communities and Local Government.

The system will enable Commissioners to closely monitor services, trends, client journeys and identify gaps and facilitate closer joint working between services.

The rough sleeping element of the system has been designed and the first tranche of staff training has taken place. The service went live in July 2017. The part of the system which will manage referrals into support accommodation is currently being designed and will move into the consultation phase with partners shortly.

5.1 DCLG Rough Sleeper Grant

Health & Adult Social Care was successfully awarded funding by the Department of Communities and Local Government in February 2017 to support work with those new to rough sleeping. The funding of £352,344.50 is for just over two years and is funding the following work within the city

- Additional capacity in the Street Outreach Service to work with those new to rough sleeping and to fund short term accommodation options and private rented sector accommodation deposits and associated costs.
- A dual diagnosis nurse working with those on the streets with substance misuse and mental health needs. Providing support to both service users and workers within commissioned and non - commissioned rough sleeper support services.
- A Charity Link worker supporting voluntary organisations, groups and volunteers across the city working with rough sleepers. The aim of which is to bring the groups together and assist them to provide support which helps rough sleepers to get quickly away from the streets and into accommodation.

5.2 Housing

Housing's duties to single homeless people sit within the current statutory framework. In the last financial year Housing assessed 878 homeless applications from single people, over the same period they prevented 399 single people from becoming homeless. Out of these, 219 went into the supported accommodation services commissioned through Health & Adult Social Care and 180 were helped to sustain or move to general needs housing. To date there are 478 single homeless people in temporary accommodation.

5.3 In preparation for the implementation of the Homeless Reduction Act in April 2018, Housing are trialling new ways of working, with a focus on very early intervention to prevent homelessness, including rough sleeping. This work has a focus on collaboration, resilience building in at risk of homeless households, and also frontline Housing Teams. The team trialling early intervention are working with a wider group of people, not just those who are owed the main housing duty.

6. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

This report is for information only earlier reports considered alternative options

7. COMMUNITY ENGAGEMENT & CONSULTATION

- 7.1 Full consultation was undertaken as part of the development of the Housing, Homelessness and Rough Sleeper Strategies which included service users and stakeholders.
- 7.2 Consultation and engagement are part of an ongoing process and continue after the tender process is complete. Service users are consulted on an ongoing process as part of the contract monitoring of the commissioned services and stakeholders and service providers are part of ongoing discussions about service delivery.
- 7.3 We utilised CGL (Change, Grow, Live) Peer mentors to undertake a service user consultation in 2016/17 and worked closely with the Fulfilling Lives group to develop our referral and assessment forms. We will continue to utilise independent groups to evaluate our services and gather valuable feedback from the users of our services.

6. CONCLUSION

6.1 This report provides an update on the current position with retendering services for homeless people and is for information only.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 There are no direct financial implications as a result of this report and it is anticipated that the new tenders proposed will be delivered within the overall budget resources available.

Current Health & Adult Social Care Budget for Accommodation & Support for Rough Sleeping & Homeless Support Services.

Name	Services Provided	17/18 Net Budget
Glenwood Lodge	24 hour supported accommodation	£365,740
Lifeskills	Support to develop the skills for independent living.	£71,950
	Psychological support and training to frontline staff an one to one support to clients with complex needs.	
Seacrest	Low support accommodation service	£56,440
	24 hour supported accommodation service for individuals with mental health & substance misuse needs.	

New Steine Mews Hostel	24 hour supported accommodation	£274,680
Rough Sleeping & Homeless Support (previously Supporting People) & Homeless Prevention Grant (HPG)	 High (24hr), medium & low supported accommodation for adults Medium supported accommodation for those with mental health needs High risk offenders accommodation Supported accommodation for young people. Youth advice service, family mediation Floating support for adults and young people. Floating support for those with mental health needs Nightstop for young people Literacy & Numeracy Support Rough sleeper outreach service & day centre Severe Weather Provision for rough sleepers Money Advice 	£5,168,770 (inc HPG £163,000)
Total		6,490,110

There is a separate budget of £2.6 million for Temporary Accommodation within the Neighbourhoods, Communities and Housing directorate.

Finance Officer Consulted: Sophie Warburton & Jessica Laing Date: 08/08/2017

7.2 <u>Legal Implications:</u>

This report is for information only therefore the legal implications are limited to confirming that the tender processes referred to in the body of the report must comply with the Public Procurement Regulations 2015 and with the Council's Contract Standing Orders.

Lawyer Consulted: Judith Fisher Date: 7.8.2017

Equalities Implications:

- 7.3 An Equalities Impact Assessment has been completed and is under regular review.
- 7.4 The tender and remodelling of services aims to tackle equalities issues which were identified as part of needs analysis and consultation, this includes a lack of specialist women only provision and services for those with multiple and complex needs.

7.5 Homeless people are some of the most marginalised and excluded within our city and the aim of the new service models is to improve services for these people and enable them to achieve their aspirations and play an active part in their community.

Sustainability Implications:

7.6 Procurement processes are taking into account the sustainability of housing stock and the principles of social value in order to achieve best value for money and sustainability of services.

Any Other Significant Implications:

- 7.7 The remodelling of accommodation and support has significant implications which were highlighted in the previous report and include the loss of accommodation, the risk of moving service users between services, the loss of bed spaces and issues of continued employment and TUPE for staff members.
- 7.8 The risks highlighted above still exist for the ongoing tenders however the tenders that have taken place so far have not resulted in the large scale moving of service users or the loss of staff within those services.
- 7.9 As highlighted in the previous report the loss of units of accommodation is a reality of the remodelling and this poses a risk in moving clients out of services which are closing. To mitigate this we are working closely with the Allocations Team and service providers to support service users to move to appropriate accommodation. The loss of accommodation between 2014/15 and 2016/17 is highlighted in the table below.

Number of Units of Accommodation 2014/15 & 2016/17

Type of Accommodation:	Number of Units 2014/15	Number of Units 2016/17	Overall Change + / -
	(Budget £6.1m)	(Budget £5.1m)	•
Adults High	288	272	-16
Support			
Adults Low Support	215	162	-53
Young Peoples	173	160	-13
Supported			
Accommodation			
Mental Health	123	110	-13
Supported			
Accommodation			
High Risk	5	5	0
Offenders			
Housing First	0	10	+10
Total:	804	719	85

SUPPORTING DOCUMENTATION

Appendices:

- 1. Services to be procured Adults
- 2. Services to be procured Young people

Documents in Members' Rooms

1. None

Background Documents

- Housing & New Homes Committee Report Single Homeless & Rough Sleeper Accommodation & Support Remodelling & Tender Report , 21st September 2016
- 2. Housing & New Homes Committee Report Young People's Housing Advice and Supported Accommodation Report, 16th November 2016.

Council		Agenda Item 40	
	2 nd November 2017	Brighton & Hove City Council	

Subject: Universal Credit Readiness and Response

Extract from the proceedings of the Neighbourhoods,

Inclusion, Communities & Equalities Committee

meeting held on the 9 October 2017

Date of Meeting: 2 November 2017

Report of: Executive Lead for Strategy, Governance & Law

Contact Officer: Name: Penny Jennings Tel: 01273 291065

E-mail: <u>penny.jennings@brighton-hove.gov.uk</u>

Wards Affected: All

FOR GENERAL RELEASE

Action Required of Council

To receive the item referred from the Neighbourhoods, Inclusion, Communities & Equalities Committee for information.

Recommendation:

That the contents of the report be noted.

BRIGHTON & HOVE CITY COUNCIL

NEIGHBOURHOODS, INCLUSION, COMMUNITIES & EQUALITIES COMMITTEE 4.00pm 9 OCTOBER 2017

THE BRIDGE COMMUNITY CENTRE, LUCRAFT ROAD, BRIGHTON

MINUTES

Present: Councillors Daniel (Chair), Moonan (Deputy Chair), A Norman (Opposition

Spokesperson), West (Group Spokesperson); Bewick, Cattell, Knight, K

Norman, Peltzer Dunn and Simson

Invitees: Chief Superintendent Lisa Bell, Police Representative; Joanna Martindale;

Hangleton & Knoll Project and Anusree Biswas Sasisharan, Brighton &

Hove Ethnic Group

PART ONE

25. UNVERSAL CREDIT READINESS AND RESPONSE

- 25.1 The Committee considered a report of The Executive Director, Finance and Resources and the Executive Director Neighbourhoods, Communities and Housing the purpose of which was to update the Committee on activities carried out across the Council's services in order to prepare for the Introduction of Universal Credit (UC). This report had been prepared in response to the Committees' request following the request that a further update report be provided in response to an earlier report which had been presented to it.
- 25.2 It was noted as had previously been explained that UC was a national policy change set in motion by Central Government which would fundamentally change the way in which benefits for working age people were claimed, administered and paid. UC would combine six existing benefits, Housing Benefit (which was currently administered by the council), Working and Child Tax Credits, Jobseeker's Allowance, Employment and Support Allowance and Income Support. This would be administered centrally by the Department for Works and Pensions and once fully rolled out more than an estimated 7 million households will be receiving UC across the country. This includes around 20,000 households in Brighton & Hove. An estimate of the distribution of these households by ward was set out in Appendix 2 to the report and a phased rollout would take place as set out in the report.
- 25.3 It was explained that the issues integral to UC related to a number of key areas where the council was already undertaking significant activity, i.e. provision of housing, employment and skills, apprenticeships, the Living Wage, development of the local economy and ensuring the voluntary and third sector was being supported to deal with

the implications of UC. There was a specific cross service programme in place to prepare the council as far as possible for UC which captured the actions of specific services and had identified cross-cutting measures and had sought to focus on key areas of cross-service preparation as set out in the report to include emergency financial support and advice.

- 25.4 The Chair, Councillor Daniel, welcomed the report noting the significant amount of work carried out by officers in seeking to ensure that the Council and its partner organisations, including the third sector were well prepared for UC and that the structures in place were as robust as they could be. The Committee concurred in that view commending the diligent work undertaken by officers in liaison in partnership with Job Centre Plus for example.
- 25.5 Councillor West stated also welcomed report, stating that UC could have a very far reaching impact within individual wards across the city. It was very important for all Councillors to be fully up to speed and to be kept fully informed of developments as rollout moved forward across the city, particularly in terms of the level of support provided for vulnerable cohorts. Councillor West queried why given the potential impact of these changes why the report had not been referred to Policy, Resources and Growth Committee. The Executive Director, Finance and Resources, David Kuenssberg, explained that the issues addressed within the report would go to that Committee as part of the wider budget process. Councillor West, requested that in view of the need for all Members to be kept informed that the report be referred to Full Council for information.
- 25.6 The Chair, Councillor Daniel, stated that she was very concerned by the impact delays in payment could have on some those who were poorest and most vulnerable in the city and the effect that could have in terms of them falling into debt, or being unable to feed their families. It was important that a pro-active and sensitive approach was adopted to those who were experiencing financial hardship through no fault of their own. Protection needed to be afforded to the Council's own tenants as far as it was practicable to do. It appeared likely that the situation faced by some of the Council's own tenants would be mirrored/worse for those in the private sector. Councillor Cattell concurred as did Councillor A Norman stated that all possible measures should be undertaken to offer the appropriate levels of guidance and support. The structures in place to encourage early intervention and signposting were considered to be critical.
- 25.7 Councillor Simson concurred, stating that whilst some community/third sector organisations were well developed and exemplars of good practice, others might, it was important that the appropriate levels of support were in place. Councillor Simson was heartened to hear however, that there was the ability for advance payments to be made.
- 25.8 Councillor Peltzer Dunn stated that he was very concerned that it was proposed by government that payments be made direct to clients, in his view to do so for people whose finances were stretched and where there were likely to be a number of calls on their very limited resources would result in a far greater propensity to fall into debt or behind with rent especially when there could be an in-built delay in processing the initial claim. Councillor Peltzer Dunn was also concerned that there could be a number of individuals and families who were "below the surface" and were as yet unknown to the various support agencies. Councillor Bewick concurred in that view.

- 25.9 In answer to further questions it was too early to assess the full implications of rollout across the city the level of financial support into 2018 was considered to be sufficiently flexible and the structures in place were resilient. The Chair, Councillor Daniel stated that it was important going forward to continue to engage pro-activity with agencies such as food banks regarding take up and to ensure that statistical and other data in that respect was maintained and for this information to be included in future reports to Committee alongside details of increases in the level of rent arrears if that had occurred.
- 25.10 Councillor West stated that in his view it would be valuable for Members to receive feedback following the workshop training sessions being held. It was acknowledged that Members experiences could be different in different wards. There could also be solitary individuals in private rented accommodation who could come to light during this process. It was important to ensure that the Members knew where best to signpost individuals.
- 25.11 Councillor Moonan stated that there were a number of strands to be addressed relating to housing stock, Use of food banks and relating to the use of emergency/temporary accommodation, it was important for such data to be collected and monitored.

25.12 **RESOLVED**:

- That the Committee endorses and comments on the activities within and across services in preparation for the phased rollout of extended UC beginning in October 2017; and
- (2) That Members familiarise themselves with the issues related to UC, either through the newsletter attached in Appendix 1, or that they consider attending UC training provided by the council's Welfare Rights team. Also that this training be made available to schools and other relevant services.

27 ITEMS REFERRED TO COUNCIL FOR INFORMATION

27.1 **RESOLVED:** That the following items be referred to the next full Council meeting for information:

Item 23 Rough Sleeping Strategy Progress Update Item 25 Universal Credit Readiness and Response

NEIGHBOURHOODS, INCLUSION, COMMUNITIES & EQUALITIES COMMITTEE

Agenda Item 25

Brighton & Hove City Council

Subject: Readiness for Universal Credit implementation

Date of Meeting: 9 October 2017

Report of: Executive Director - Finance & Resources;

Executive Director - Neighbourhoods, Communities

& Housing

Contact Officer: Name: John Francis

Email: John.Francis@Brighton-Hove.gcsx.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 update the committee on the activities across council services to prepare for the introduction of Universal Credit (UC). This formed a recommendation in a previous report to the Neighbourhoods, Communities & Equalities Committee on welfare reform in July.

2. **RECOMMENDATIONS:**

- 2.1 That the committee endorses and comments on the activities within and across services in preparation for the phased rollout of extended UC beginning in October 2017.
- 2.2 That members familiarise themselves with the issues related to UC, either through the newsletter attached in Appendix 1, or that they consider attending UC training provided by the council's Welfare Rights team. Also that this training be made available to schools and other relevant services.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 UC is a national policy change in the way benefits for working age people are claimed, administered and paid. UC combines six existing benefits, Housing Benefit (which is currently administered by the council), Working and Child Tax Credits, Jobseeker's Allowance, Employment and Support Allowance and Income Support. This will be administered centrally by the Department for Works and Pensions and once fully rolled out more than an estimated 7 million households will be receiving UC across the country. This includes around 20,000 households in Brighton & Hove. An estimate of the distribution of these households by ward is included in Appendix 2.

3.2 The phased rollout for new claims in Brighton & Hove will happen alongside approximately 100 other areas, and is due to take place as follows for the following postcode areas:

BN3 - 4 October BN2 - 29 November BN41 and BN1- mid-January 2018.

Originally the BN41 and BN1 postcodes were due to go live at the earlier dates but the Department for Works and Pensions (DWP) notified the council of the revised timescale in July 2017. This means with very few exceptions anyone making a claim for benefits from these dates will claim UC.

- 3.3 There is currently a trial version of UC available in the city but only for single people in straight forward circumstances.
- 3.4 The residual caseload of people who are already on benefits, and who do not have a change of circumstances that triggers a UC claim during the phasing period, will be subject to a process of transfer to UC between 2019 and 2022.
- 3.5 The policy background, main changes which will be introduced by UC, risks and opportunities were set out the last report on Welfare Reform to the NICE Committee on 3 July. The main changes for claimants will be:
 - UC will be claimed and managed online
 - No benefit paid for first 7 days for most claimants
 - Payment will by default be paid monthly in arrears
 - Payment will default to be to a single member of the household
 - First payment usually made 6 weeks (or longer) from claim
 - The rent element will default to be paid to the claimant, and no longer to the social landlord
- 3.6 There are approximately 100 other areas going live at the same time as Brighton & Hove. These areas are both local and national and cover rural, urban and metropolitan areas, for example Eastbourne, Manchester, Barnet, Ealing, Oxford, Birmingham, and Plymouth. All council areas are due to have the full version of UC in place by September 2018.
- 3.7 For households who move onto UC the council will have a much reduced role in the provision of financial welfare support. Currently if a person rents a property and is on a low income they claim Housing Benefit through the council. This will stop under UC and the welfare support provided by the council will be limited to Council Tax Reduction and Discretionary Housing Payments, Local Discretionary Social Fund and Discretionary Council Tax Reduction. The budgets for this year for the discretionary funds are as follows: Discretionary Housing Payment £1.3million, Discretionary Council Tax Reduction £150k, Local Discretionary Social Fund £180. The budgets for 18/19 are yet to be set.
- 3.8 The council will have a direct relationship with a number of families who move onto UC, largely as landlord but also where there is social care involvement. For most UC claimants the council will have no knowledge of them nor will the council have a relationship with them. Whilst in receipt of Housing Benefit,

claimants are supported by the council in the wider issues of renting, such as the promotion and provision of discretionary payments when Housing Benefit does not pay the full rent, or links into Housing Options and Homelessness intervention in the event of eviction proceedings.

- 3.9 Other organisations have published reports on experiences with UC. National Citizens Advice published a report called 'Delivering on UC' (placed in the members' room) on 6 July 2017. The report sets out that Citizens Advice supports the principles but is concerned they are being undermined. A number of detailed recommendations are made in the report. In summary Citizens Advice states that before rollout accelerates, the DWP should:
 - Reduce the six week wait for the first payment including removing the seven day waiting period (ie where no benefit is paid); informing all claimants about the options for advance payments; and reducing delays by improving requests for information
 - Improve the support available for those moving onto UC including a comprehensive holistic support package as well as specific budgeting and online support.
 - Help people achieve financial stability on UC ensure people do not have
 deductions for other debts taken from UC which leaves them financially
 vulnerable and ensuring Alternative Payment Arrangements are made
 available to all (this is where payments can be made to a landlord, paid more
 frequently, or split across claimants and their partners).

Cross service work

- 3.10 The issues related to UC are related to a number of key areas where the council is already undertaking significant activity, i.e. Provision of housing, employment and skills, apprenticeships, the Living Wage, development of the local economy and ensuring the voluntary and third sector is supported to deal with the implications.
- 3.11 There is a specific cross service programme to prepare the council as far as possible for UC. This captures the actions of specific services and identifies cross- cutting measures. Key areas of cross-service preparation are focussed on:
- 3.12 Emergency financial support and advice. The council runs a scheme called the Local Discretionary Social Fund which can provide emergency food and utility support to people in urgent situations. For 2017/18 the budget is £180k and profiled to be spent in full by the end of the year. This scheme is run by the Discretionary Help & Advice Team in the Revenues & Benefits service. Where there is no alternative the scheme can be used to help people who have a period without income. The team will always make sure that customers are supported to exhaust other statutory alternatives, for example advance payments from the DWP, before a payment is made. Members may wish to create a contingency for this fund against high take-up as a result of UC. This proposal is being taken to the Performance, Resources & Growth Committee as part of the TBM report in October. However this will depend on resources being identified and Section 151 Officer agreement.

- 3.13 Extra funding for the third sector. Members allocated £208k, to the Third Sector Investment Programme specifically to support people with issues related to Welfare Reform and the rollout of UC. The Communities, Equalities & Third Sector Team has maximised investment in Moneyworks and Advice services to deal with the increased issues that residents are experiencing with the changes in the benefit system and ensuring that those agencies who would work with those most affected (see 3.11..5 below) by UC are prioritising this work until March 2018.
- 3.14 Assisted digital and personal budgeting support. The council has maximised the Third Sector Investment Programmes investment in Moneyworks by working with them and the DWP to make sure that UC claimants who need help with making and maintaining their claims online, or with managing a monthly budget are able to do so. This will mean that dedicated sessions in a variety of locations will be available for anyone needing help to go online to claim or maintain their UC claim at appropriate community locations.
- 3.15 **Information and training.** Free training on UC is being provided to the advice and community and voluntary sectors by the council's Welfare Rights teams so that help with claims and appeals is effective. Additionally front-line council staff are being trained in the details of UC. A draft newsletter developed for this purpose, and shared amongst colleagues and partners, has been included as Appendix 1 of this report.
- 3.16 **Support for vulnerable cohorts.** A risk analysis identified a number of cohorts of people who may be at particular risk in trying to maintain UC claims. They include rough sleepers, people affected by domestic violence, people with mental health issues, and people with substance misuse issues. An issue has also been identified with people who struggle to attend Work Capability Assessments in Lewes which is leading in some cases to benefits being stopped. Work is in place to provide support to these cohorts, including working with the local Jobcentre Plus so with appropriate permissions from the claimant information can be shared between organisations to make sure appropriate support is in place.
- 3.17 Understanding the impact across the City. A six weekly meeting on Welfare Reform and UC is held with stakeholders including advice agencies (Moneyworks, Citizens Advice, Money Advice Plus and others), the community and voluntary sector (Community Works, Foodbanks and emergency food providers), registered social landlords (RSLs), private landlords and the DWP. The purpose is to share information and plan for the impact across the city. In addition a dedicated meeting with RSLs on the subject of UC has been held and presentations given to private landlords' associations. Work is also ongoing to communicate these changes to other services such as primary care providers and schools.
- 3.18 Taking a joined up view of recovery of debt from UC. As is the case with current DWP benefits the council is able to request that deductions are made from UC to repay debts owed to the council. This can be for rent arrears, Council Tax arrears, or Housing Benefit overpayments. Many other organisations are able to make the same request of the DWP. Council teams involved in the recovery of these amounts are working together to ensure the pressure of any council debt repayment from UC does not create untenable financial situations

- for claimants. This approach needs to be balanced against the requirement of the council to ensure it appropriately recovers debt owed.
- 3.19 **Risk Management** The introduction of Universal Credit is an element of the wider risks around welfare reform and is recorded as strategic risk 24 on the council's risk register. This risk receives focus from ELT and is reviewed yearly by the Audit and Standards committee.

Service specific readiness

3.20 In addition to the cross-service work, individual services are undertaking their own preparation for the introduction of UC as set out below.

3.21 Revenues and Benefits

- Preparing for the interaction between UC and the Council Tax Reduction scheme and related Council Tax recovery processes including maintaining Council Tax Reduction take up.
- Developing processes to identify vulnerable customers when their Housing Benefit claim is ended so other services can support them is applying for Alternative Payment Arrangements and to make sure Jobcentre Plus identify them as vulnerable.
- Supporting people affected by the Benefit Cap when they are on UC
- Supporting people with Discretionary Housing Payment when they are on UC
- Providing training on UC to front line teams within and externally to the council via the Welfare Rights team.
- Providing emergency assistance and caseworking support to people who have problems with benefit entitlement via Discretionary Help & Advice Team
- A deposit insurance scheme option was considered with an external partner but did not go beyond initial scoping. It is thought that this is because the small scale nature of the potential caseload was not of sufficient scale for the partner. There were internal concerns, related to experience of similar schemes elsewhere that the scheme would not be of value and presented risks.
- Forecasting the impact on future Housing Benefit subsidy
- Planning for the impact on increase in transactions related to people claiming UC and claiming Council Tax Reduction.

3.22 Communities, Equalities and Third Sector team

- A sub-ordinated loan from the council to East Sussex Credit Union (ESCU) in April 2016 enabled the development of IT and capital funding to ensure low cost loans to those affected by Universal Credit claims and underpins the work explained below by Housing
- The new Third Sector Investment Programme (TSIP) highlighted the need for partnerships bidding for funding to mitigate the effect of welfare reform. Partnerships gaining funding included food projects to support those most at risk of homelessness, an advice matters partnership, moneyworks, a project to support LGBT people at risk of homelessness to be safely housed, support for domestic and sexual violence and to extend the work of community development into our most deprived wards. The team have been central in working with Moneyworks to agree the details of how personal budgeting support and assisted digital support for claimants of UC will work. This

- agreement is being funded via grant funding from the DWP but devolved to Local Authorities to distribute.
- Using the 208k invested following Performance, Growth and Resources to TSIP to increase the resilience of the third sector to provide support around UC.

3.23 Housing

- A report is due to go to the Housing and New Homes Committee focussed on rent collection in a UC environment in November
- Homeless PreventionTrailblazer project. This is an early intervention and prevention programme to try and prevent homelessness funded via a specific government grant which is over 2 years, expiring in March 2019. It is the forerunner of the Homelessness Reduction Act which comes into force in April 2018.
- Working with Private Rented Sector landlords to assist with tenants who may need Alternative Payment Arrangements (APA)
- Working with East Sussex Credit Union (ESCU) to set up managed payments to landlords and linking this in with the broader benefits of credit union membership and ESCU's membership of Moneyworks which means it can be linked to financial education.
- Looking at other "jam jar" style bank accounts and support which are available.
- Altering tenancy sign up processes to make sure people on UC are supported to complete their claim in full and understand the requirements to pay rent. A trial to make contact with tenants within 48 hours of us being aware they have made a UC claim, to make sure they are supported appropriately.
- Processes are in place around supporting people to claim Alternative Payment Arrangements where needed. This is where the rent element of the UC can be paid to the landlord where there are issues of vulnerability with the claimant.
- Rent collection processes for tenants are under review to take into account payment directly to tenant.
- Reviewing current temporary accommodation household allocations versus property size to make sure they will be supported when they switch to UC
- Identifying people less than 22 years of age who may be affected by the "no housing costs" rule and providing information and support.
- Working with families in temporary accommodation where the accommodation may be harder to afford under UC due to a change in the rules over levels of entitlement between HB and UC based on property size.
- Reviewing provision of emergency accommodation to address issues with UC paying for short term periods
- Reviewing the provision of temporary accommodation to people under 35 given shared room rate implications
- Preparing, with council banking colleagues, for an increase in individual payment transactions
- Reviewing systems in Temporary Accommodation income collection
- Updating monitoring systems to allow the council to track housing issues caused by UC.

3.24 Adult Social Care

- Putting in place processes to ensure clients are supported to claim Alternative Payment Arrangements where needed. This will mainly be achieved by training services which are commissioned to provide support and supported accommodation.
- Working with commissioned providers supporting people rough sleeping to ensure they understand UC and can provide the support this cohort will need.
- Targeting digital inclusion support to people rough sleeping, homeless people and people in supported accommodation services to manage online accounts.
- Working with accommodation and support services to manage the risk that vulnerable people living in supported accommodation may become victims of theft/abuse as a result of receiving large monthly payments.
- Introducing 'readiness to move and manage' assessments as rough sleepers and homeless people move to low or independent accommodation.
- Expanding structured follow up mechanisms which ensure people who move into independent accommodation are sustaining their claims.
- Assessing the possible impacts on people with physical disabilities, sensory impairment, learning disabilities as well as on accommodation models such as extra care and supported living.
- Working with the range of commissioned providers across all client groups to prepare them for the introduction of UC.

3.25 Children's Services

- Incorporating a standardised financial assessment when financial hardship is identified within a social care assessment
- Linking client in with financial advice will become more routine
- Measures are being put in place to track section 17 spending related to Welfare Reform and UC
- Processes are being put in place around supporting clients to claim Alternative Payment Arrangements where needed
- Checking agreements to take debt from a UC claim will not create untenable financial situations for families
- Working with the Revenues & Benefits and Housing teams to identify individuals who will be exempt from the "no housing costs" for people aged under 22.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 At present the council's approach to dealing with the introduction of Universal Credit is to undertake a programme of work to prepare for these changes.
- 4.2 The council also works with partners and stakeholders across the city to understand the impact of Welfare Reform and the introduction of Universal Credit across the city.
- 4.3 An alternative option would be not to prepare for these changes. This approach would require a reactive approach to impacts as they occurred. This would mean ad-hoc shifting of resources with a subsequent impact on business as usual and individual variable levels of support being provided rather than a consistent approach.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 A six weekly Citywide Welfare Reform meeting is held to bring together organisations in the city affected by welfare reform and has recently very much focussed on the rollout of UC. This meeting is attended by representatives of private sector landlords, social landlords, advice agencies, wider community organisations and the DWP. This network is used to both get a proper understanding of how the impact of welfare reform is manifesting in the city and to gather information from partners about the risks and opportunities these changes present. It also provides a conduit for providing detailed information about the changes out to city organisations.
- 5.2 A member of the Welfare Reform Team regularly attends the Advice Services Network meeting. This is a meeting of advice services and agencies in the city. In addition a member of the team responsible for administering the Local Discretionary Social Fund also attends the Emergency Food Providers meeting hosted by the food partnership so that support in this area is joined up.
- 5.3 Staff involved in supporting people affected by these changes also hold a number of informal relationships with city organisations allowing information to be shared on an ongoing basis and particular issues, including case support, to be addressed quickly.

6. CONCLUSION

- 6.1 This is a large scale national change affecting millions of households that will take many years to fully rollout. As a result of this the council will have a diminishing role in the administration of welfare related services.
- 6.2 The changes between the way benefits are currently administered and how they will be administered under Universal Credit are designed to create behaviour change in the people that are in receipt of Universal Credit. For example it is assumed that most tenants should make rental payments themselves rather than rent support being paid directly to the landlord.
- 6.3 The council will no longer be funded to provide rental support via Housing Benefit for people of working age. However as set out in the report the council is changing services to respond to the changes Universal Credit presents and also where there is a need to support households with this transition.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 It is estimated that for 2017/18 the council will pay out approximately £43m in rent rebates, most of which is in respect of properties where the council is the landlord. Over the next five years as housing benefit transitions to Universal Credit payment will be made directly to the tenant rather than directly to the council. This could potentially lead to a pressure on rent collection rates in both the HRA and General Fund although at this stage it is very difficult to quantify

this. This will be closely monitored and any impact will need to be reflected in future years' budget setting.

The 2017/18 budget includes continued recognition of the potential impacts of changes to the Council Tax Reduction Scheme and national Welfare Reform changes. As well as a wide range of support and advisory services including Financial Inclusion, Housing and Welfare Rights the council also provides one-off resources and grants to support those suffering short term hardship including:

- Discretionary Housing payments (DHP) £1.133m.
- Welfare Reform and Social Fund reserve £0.613m; planned use includes a one-off allocation of £0.295m to continue the Social Fund in 2017/18, £0.95m for discretionary Council Tax Reduction support and £0.144m to support the Welfare Reform programme. A contingency of £0.079m is also set aside for any residual issues in 2018/19 but Policy, Resources and Growth Committee approval will be sought to release this in 2017/18 if required to support pressures resulting from the roll out of UC (see para 3.11.1 above).
- Recurrent discretionary Council Tax Reduction support of £0.055m in addition to the £0.095m provided from the Welfare Reform reserve above.

Finance Officer Consulted: Jeff Coates Date: 13/09/2017

Legal Implications:

7.2 The actions being taken by the council, described in this report, are incidental to the council's powers and responsibilities around administering Housing Benefit, Council Tax Reduction, Local Welfare Provision and homelessness prevention.

Lawyer Consulted: Name Liz Woodley Date: 17/09/2017

Equalities Implications:

- 7.3 An Equalities Impact Assessment on Universal Credit was published by the government in November 2011. There have been a number of calculative changes made to the Universal Credit scheme since then so some of the findings may have shifted, however the assessment found that:
 - For disabled people levels of entitlement may change depending on the levels of premiums they received on legacy benefits. Some areas of provision for disabled people have been reduced and some have been increased so levels of entitlement will vary compared with previous entitlements.
 - Anyone transferring from legacy benefits will receive transitional protection.
 - Participation Tax Rates for disabled people would reduce increasing work incentives.
 - Financial incentives to work for men and women are increased by broadly the same degree.
 - Single women are more likely to see a change in entitlement than single men because single men on Universal Credit are more likely to be out of work.

- Around 16 per cent of the potential Universal Credit caseload is from an ethnic background which is a larger proportion than the population as a whole and that
- People from an ethnic background were more likely to see an increase in entitlement than those who are not from an ethnic background;
- People under 25 are least likely to see a reduction in entitlement and people over 50 most likely to see a reduction in entitlement; this cadre may also need the most support to claim online.

Sustainability Implications:

7.4 None

Any Other Significant Implications:

7.5 None

SUPPORTING DOCUMENTATION

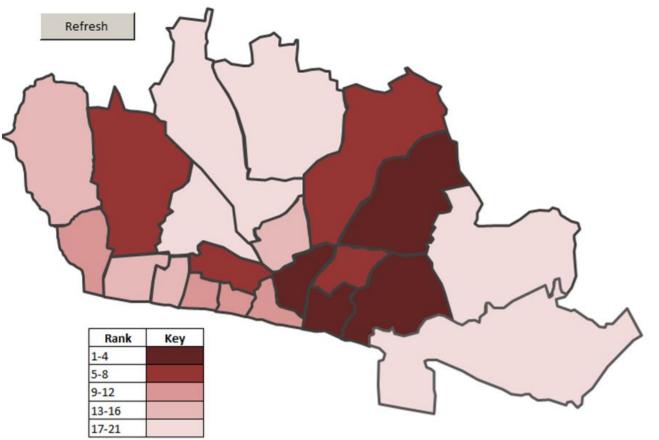
Appendices:

- 1. Universal Credit newsletter
- 2. Map of forecast rollout of Universal Credit

Documents in Members' Rooms

1. Delivering on Universal Credit –Citizens Advice 2017

Universal Credit – estimated rollout by ward



Ward	Rank	Households
Brunswick and Adelaide	10	730
Central Hove	11	729
East Brighton	1	1783
Goldsmid	6	1048
Hangleton and Knoll	7	1001
Hanover and Elm Grove	8	911
Hollingdean and Stanmer	5	1189
Moulsecoomb and Bevendean	4	1285
North Portslade	15	587
Patcham	17	497
Preston Park	14	607
Queens Park	2	1689
Regency	9	825
Rottingdean Coastal	20	419
St Peters and North Laine	3	1337
South Portslade	12	652
Hove Park	21	207
Westbourne	13	649
Wish	16	524
Withdean	19	445
Woodingdean	18	496

benefit changes

information about the government's welfare reform

October 2017

For professionals who work with people affected by changes to welfare benefits

Universal Credit in Brighton & Hove

Universal Credit is a new benefit for people of working age. It replaces most existing means-tested benefits.

Universal Credit will be the benefit most households will claim starting from October 2017 in Brighton & Hove.

This will be for people making new claims for benefits and, in some cases, for people already claiming benefits who have a change in their circumstances.

Families with more than two children will claim existing benefits up to 31 October 2018, but will not be paid for a third or subsequent child born after 6 April 2017.

Our current information is that claims in the city are planned to come in as follows:

- BN3 4 October 2017
- BN2 29 November 2017
- BN41 & BN1 January 2018

This booklet is for professionals who support claimants who may be on benefits. It explains some of the main changes and where people can get additional help in Brighton & Hove.

For more information, go to www.gov.uk/universalcredit

For links to local information go to: www.brighton-hove.gov.uk/universal-credit



What is Universal Credit?

Universal Credit replaces Jobseeker's
Allowance (income based), Employment
Support Allowance (income based), Income
Support, Working Tax Credit, Child Tax Credit
and Housing Benefit.

Separate claims will still need to be made for other benefits such as Child Benefit, Disability Living Allowance, Personal Independence Payment and Council Tax Reduction.

How is Universal Credit different from current benefits?

- Most claims for Universal Credit will be made and maintained online.
- The amount paid for rent will normally be paid to the tenant not the landlord.
- Universal Credit will normally be paid once a month to one person in the household.
- The first payment will normally take at least six weeks.
- In most cases there will be no money paid for the first seven days after the claim.
- Help with housing costs for 18-21 year olds has been restricted to those that are deemed to be vulnerable – see page 4 for more details.

Applying for Universal Credit

- Claimants will usually have to apply for Universal Credit online. If they are unable to make a claim online, they should contact the Jobcentre.
- Within seven days of making an application, online claimants must phone the Universal Credit Service Centre on 0345 600 4272 (option 1) to book an interview at their local Jobcentre.
- At the interview, the claimant will have to provide documentary evidence in support of their claim - this could include things like a tenancy agreement or photo identification. Not attending this interview or failing to provide this information could mean the Universal Credit claim stops.

For more information, go to www.gov.uk/universalcredit

For links to local information go to: www.brighton-hove.gov.uk/universal-credit

Potential issues with Universal Credit

Solutions and help

Issues with making a claim	
People need help to claim online or they don't have access to a computer or email address.	Call the Moneyworks Advice Line on 0800 988 7037 for free independent help or speak to the Jobcentre.
People do not have a bank account.	Call the Moneyworks Advice Line on 0800 988 7037 for free independent help or speak to the Jobcentre.
When the claim starts from.	Universal Credit will normally start when a claim is made. In some cases, where there is good cause, claims can be backdated for up to a month. Backdating can be request when a claim is made and reasons must be given for the delay in claiming. Universal Credit includes housing costs, so it is important that claims are made on time to avoid rent arrears.
Issues with maintaining a claim	
Keeping the claim for Universal Credit active.	To keep the claim active, it is important for Universal Credit claimants to: - Provide all information and evidence Jobcentre Plus ask for - Keep all appointments at the Jobcentre - Check their online journal daily or very regularly and when prompted by text or email. Not checking the online journal regularly could mean that an appointment is missed and this could lead a UC sanction and the benefit being reduced. - Keep to the terms of the claimant commitment - Tell the Jobcentre about changes of circumstances
Meeting the terms of the claimant commitment. To get Universal Credit, a claimant will have to agree to a 'claimant commitment' which is an agreement about what activities they will do.	To make sure the claimant commitment takes into account individual circumstances, it's important that claimants tell the Jobcentre about any issues or vulnerabilities they have. For example, if they: - look after children - have a disability or health condition - don't have good reading or writing skills - have a learning disability - look after someone with a disability - have been a victim of domestic violence within the last six months - are homeless - are undergoing treatment for a drug or alcohol problem - have to do jury service - any other issue that might be relevant The claimant commitment can continue to apply to people who are working part time and they may be expected to make efforts to increase the number of hours they work.

Issues with rent What if someone can't manage to pay They can apply to have the rent element of Universal Credit paid their rent? directly to their landlord. They can do this via their online journal or by speaking to their Jobcentre work coach. This can be done by the landlord if there are arrears with the rent. To do this, a landlord will have to apply for an 'Alternative Payment Arrangement'. Go to www.gov.uk and search for 'UC47'. What if people do not receive enough People can apply to the council for a Discretionary Housing Universal Credit to pay their rent? Payment. For more information, go to www.brighton-hove.gov.uk/discretionarypayments There are a number of people under 22 who are exempt from this Housing costs not available for people aged under 22. rule, including: - people receiving Universal Credit housing costs before 1 April The housing element of Universal Credit will 2017 until they move off Universal Credit or cease to claim not always be payable to people under 22 those housing costs but there are exceptions. - certain vulnerable people - people unable to live with their parents - people claiming as a couple - people who are not subject to all work-related requirements for receiving Universal Credit - people who are in work, subject to minimum earnings - people who have recently left work, subject to minimum earnings (in this case, the help is available for a limited time only) - people who have left care It is vital claimants tell the Jobcentre if any of these apply to them. The council's housing and children's services will be able to provide evidence to support some of these situations. For more information, the council's welfare rights team have produced a factsheet on 18-21 year olds and UC available from www.brighton-hove.gov.uk/benefit-factsheets Issues with managing money People need help with budgeting on a Call the Moneyworks Advice Line on 0800 988 7037 for free monthly income. independent help.

They can talk to their Jobcentre work coach and ask to be referred for help. They could ask for the UC to be paid more frequently if they are struggling to manage — they can do this by phone or by requesting this through the UC journal.

What if payment to one person in the household is not appropriate, for example in the case of domestic violence, financial coercion or where there may be addiction issues? They can apply to have the Universal Credit payment split. Request this via the journal or speak to the Jobcentre work coach.

Issues with giving help to someone claiming Universal Credit

Advisors and support staff helping someone with their claim

People supporting claimants on Universal Credit will only be able to talk to the Universal Credit Service Centre if the claimant is with them. There is no provision for ongoing consent but the claimant can provide permission on the journal for an advocate to deal with a specific matter. They would need to state who the advocate is and the problem they want help with.

Issue with the amount of money paid by Universal Credit

Claimants struggle waiting for six weeks for their first payment

They can apply for an advance payment from the Universal Credit service centre 0345 600 4272 option 5. This is a loan paid back over six months.

- They can use savings or last payment of previous wages if there are any.
- They can apply to the Brighton & Hove Local Discretionary Social Fund. For more information, go to www.brighton-hove.gov.uk/ldsf

No benefit payable for the first seven days

The seven-day waiting period won't apply if claimants:

- Have claimed Universal Credit within the past six months
- Are splitting up from or moving in with someone who's already claiming Universal Credit
- Are moving on to Universal Credit from another 'legacy' benefit, such as JSA (income-based)
- Are terminally ill
- Are vulnerable, for example they've recently been a victim of domestic violence or are leaving care or prison

It is important for claimants to tell the Jobcentre if any of these things apply to them.

Self-employed people

Universal Credit has rules which mean that once a person has been self-employed for 12 months, it is assumed that they will earn an income equivalent to the national minimum wage times the number of hours they are expected to work, which could mean they receive less Universal Credit. In this case, claimants should talk to their Jobcentre work coach about help that may be available or other ways of finding work.

What about support for Council Tax

People will still need to make a separate claim for Council Tax Reduction from the council. It is important to do this straight away to avoid getting into arrears with Council Tax. For more information, go to www.brighton-hove.gov.uk/help-with-council-tax

Other things to note

- Claimants will need an email address and bank account in order to make their claim online.
- People with three or more children will not be asked to claim Universal Credit until November 2018 (at the earliest) unless they already get UC.
- People who live in Supported Accommodation will still get their housing costs met through Housing Benefit,

although they will have to claim Universal Credit for their living costs.

- At the time of writing, the rollout by postcode is planned to be:
 - BN3 4 October 2017
 - BN2 29 November 2017
 - BN1 and BN41 January 2018

Useful contacts

Universal Credit and Jobcentre

Full Service Universal Credit Helpline 0345 600 4272

Option 1 To arrange an appointment

Option 2 Checking pay dates

Option 3 Change of circumstances

Option 4 Query regarding entry on online journal

Option 5 Apply for advance payment

Option 6 Other queries

Jobcentre Plus 08000 556688

Tax Credit 0345 3003900 to order a claim form or ask about an existing claim or

Existing Tax Credit claim www.gov.uk/manage-your-tax-credits

Child maintenance options 0800 988 0988

www.gov.uk for information on all benefits and online claim forms



Help to get online

These organisations can help you get online, you can contact them to arrange help if you need it:

Brighton & Hove libraries

www.brighton-hove.gov.uk/libraries 01273 290800

Brighton & Hove City Council Customer Service Centres

Brighton Bartholomew House

Bartholomew Square, Brighton, BN1 1JE

Hove Ground Floor

Hove Town Hall, Norton Road, BN3 3BQ

Digital Brighton & Hove

Courses, classes and drop-ins

www.digitalbrightonandhove.org.uk/courses/

The Bridge Community Education Centre

Lucraft Road, Moulsecoomb, Brighton, BN2 4PN 01273 687053

Brighton Unemployed Centre Families Project

6 Tilbury Place, Brighton, BN2 OGY

01273 671213 / 601211

Hangleton & Knoll Project – HaKIT

St Richards, Egmont Road, Hove, BN3 7FP 01273 881446

Whitehawk Inn

Whitehawk Road, Brighton, BN2 5NS 01273 682222



Help in an emergency

If someone is in a situation with no money or food, emergency help is available.

Local Discretionary Social Fund

01273 293117

www.brighton-hove.gov.uk/ldsf

to find out more and apply online

Family Information Service (FIS)

01273 293545

Advisers can refer families to a foodbank and advise on other sources of help. Information about local services can be found at

www.familyinfobrighton.org.uk



Benefits advice

Jobcentre

0345 604 3715

Citizens Advice

0345 6043719 www.citizensadvice.org.uk

Government information

www.gov.uk

Brighton & Hove City Council

Council Tax Reduction and Housing Benefit 01273 292000

Welfare Rights Team

Help and advice on how to appeal DWP decisions. www.brighton-hove.gov.uk/welfarerights welfareright@brighton-hove.gov.uk
Telephone 01273 291116 Monday 10-1pm

Local Discretionary Social Fund

www.brighton-hove.gov.uk/LDSF 01273 293117

The LDSF can help people in the event of a crisis or emergency and to return or remain in the community. This is not cash but can provide food vouchers or things to help people move.

Discretionary Payments

www.brighton-hove.gov.uk/DPform 01273 292000

In some cases, Discretionary Housing Payments can top up the amount paid through Universal Credit for housing costs, mostly to help with of moving to more affordable accommodation. Council Tax Reduction helps with Council Tax but only covers 80% of the bill. The Discretionary Council Tax Reduction can help people who need extra help to cover arrears or the shortfall.



Homelessness and housing

For anyone at risk of becoming homeless, it's important to get advice as soon as possible.

Brighton & Hove City Council Housing Options Team

01273 294400

Bartholomew House, Bartholomew Square Brighton BN1 1JP.

www.brighton-hove.gov.uk/homelessness

Housing advisers will do all they can to help families keep their home. They can:

- advise people on their responsibilities
- advise on welfare benefits to help with the rent or mortgage
- negotiate with landlords about any problems
- deal with banks and building societies if people have fallen behind with mortgage payments

Out-of-hours homeless emergency

If someone has a homeless emergency out-of-office hours (9am-5pm Mon-Fri): Telephone 01273 294400

(select option 2, then option 1)

Help finding other accommodation

The council is working with HomefinderUK (**homefinderuk.org**) to help households facing homelessness or other social tenants to move to more affordable social housing in other parts of the country if this is their choice.

To find out what LHA rates are look here:

lha-direct.voa.gov.uk/search.aspx

Council help with housing

People affected by any of the changes set out in this leaflet may have difficulty paying rent.

You must ensure that you seek the help and advice contained in this leaflet as early as possible.

Everyone working with families and other households is committed to preventing homelessness but this can only succeed if you act early. If you cannot stay in your home, alternatives are increasingly out of the city boundaries because accommodation in the city is unaffordable.

The council's Housing Options Service can help you keep your home, find alternative housing and negotiate with landlords about problems you may have, such as rent. If you become homeless, the council will assist people it has a legal duty to help and will give advice to others. Housing provided by the council is likely to be out of the city.



Gas and electricity charges

There are several ways that gas and electricity bills can be reduced including:

- Switching supplier or switching to the supplier's cheapest tariff
- Buying both gas and electricity from the same company – this is known as dual fuel
- Paying monthly by direct debit
- Asking the supplier if they have any special rates for people needing extra help, for example if anyone in the household is on benefits or has a disability
- Some people qualify for the Warm Home Discount Scheme, whereby energy suppliers can

- give a £140 discount to customers in vulnerable groups (check with the energy supplier as eligibility criteria varies between companies)
- Households should always do their own meter reading every time they receive a bill, if bills are paid by direct debit, there could either be an overpayment and the customer could be entitled to a rebate, or be underpaying and end up with a bill at then end of the year

For information on saving money on fuel costs visit **www.moneysavingexpert.com**



Dealing with debt - national organisations

National Debtline

0808 808 4000

www.nationaldebtline.co.uk

Provides free confidential and independent advice on how to deal with debt problems. The specialist advice given over the telephone is backed up with written self-help materials which can be mailed out free of charge.

The Step Change Debt Charity

0800 138 1111

www.stepchange.org

Provides free and confidential counselling on debt problems – including personal budgeting and credit advice. They can also liaise with creditors to work out a repayment package.



Child Maintenance

The Child Maintenance Options Service can advise and support people who need to get financial support from an ex-partner.

They can make a Family Based Arrangement if both parents are happy to work things out or, if this isn't possible, they can arrange a Statutory Agreement.

There is a fee of £20 to register with this service if they need to make a Statutory Agreement but not if the applicant is a victim of domestic violence. Child Maintenance Options is a free service that provides impartial information and support to help separated parents make decisions about their child maintenance arrangements. The website contains a useful maintenance calculator.

Tel 0800 988 0988
Text OPTIONS to 6664
www www.cmoptions.org



Banking, savings and loans

Having a savings account means that people can plan for the future and save up for the things they need, as well as being more likely to cope in an emergency when money is needed at short notice.

East Sussex Credit Union

0300 303 3188 info@eastsussexcu.org.uk www.eastsussexcu.org.uk

Provide free, independent advice on savings and loans.

Beware loan sharks!

Many illegal money lenders or loan sharks charge very high rates of interest and use threats, intimidation and violence to force repayment of loans. To report an illegal money lender or loan shark in confidence, visit www.gov.uk/report-loan-shark Tel 0300 555 2222



Money advice - national organisations and websites

There is a wide range of national information available on public services, including financial support, through the government website www.gov.uk

The Money Advice Service

0800 138 7777

www.moneyadviceservice.org.uk

The Money Advice Service is a national organisation that offers free, clear and unbiased advice to help everyone to manage their money better. Their website is packed with useful information and has a section aimed specifically at parents. There are also online calculators that can work out household budgets.

Benefits check

The online benefits adviser tool can help with benefits estimates, or check which benefits people can claim. It's available to use at www.gov.uk/benefits-adviser

Guide to Basic Bank accounts

www.moneysavingexpert.com/banking/basic-bank-accounts

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Local sources of help and advice

www.moneyworksbh.org.uk

0800 988 7037 or 01273 809288 www.moneyworksbh.org.uk

Drop in and appointment sessions run across the city and offer practical help with making your money go further. Visit the website or contact Moneyworks to find out more.

- Bank accounts
- Benefits
- Broadband, TV and phone
- Budgeting
- Childcare
- Communicating with friends and family for free
- Coping with debts
- Credit score and credit rating
- Eating well on a budget
- Gas and electric
- Grants
- Help paying rent and Council Tax
- Home contents insurance
- Housing
- Job search
- Loans and borrowing
- Pensions
- Price comparison sites
- Savings
- Selling online
- Shopping online
- Skills for employment
- Water bills

Citizens Advice Bureau

03003 309033

www.brightonhovecab.org.uk

The Citizens Advice Bureau helps people resolve their legal, money and other problems by providing free, impartial, confidential and independent information and advice.

A drop-in service is available Monday to Friday, 8.45am – 10.30am, and appointments are available at other times at their offices at Brighton Town Hall, Bartholemew Square, Brighton, BN1 1JA.

St Luke's Advice Service

01273 549203

www.stlukesadviceservice.org.uk

St Luke's Advice Service provides free, independent and impartial help, advice and information. Included in the areas they specialise in are: debt and budgeting, welfare benefits and help with filling in forms.

Call to arrange an appointment. They are open Monday, Tuesday, Wednesday and Thursday, 9.30am - 3.30pm and Friday, 9.30am - 1pm.

Money Advice Plus

0800 988 7037

(Mon, Tues & Thurs 10am-4pm, Wed 5-8pm and Fri 10am-2pm)

info@moneyadviceplus.org.uk

Money Advice Plus is a registered charity (Money Advice & Community Support Service) based in Brighton & Hove, helping and supporting people experiencing difficulty managing their money or financial affairs.

Brighton Unemployed Centre Families Project (BUCFP)

www.bucfp.org

General information **01273 601211**Appointments **01273 676171**Confidential Advice Line **01273 676171**(answerphone – please leave a message).

The Brighton Unemployed Centre Families
Project offers a wide range of services, not just
for the unemployed. This includes free, impartial
and independent advice on benefits issues, form
filling, tribunals, problems with debts and bills
and your rights.

Provides a drop-in advice service on all aspects of social security & welfare, including

- One-to-one support to complete applications
- Contacting DWP & the local authority
- Lodging mandatory reconsiderations & appeals
- Support with the Tribunals service

Drop-in times are:10am-1pm & 2-4pm Tuesday to Thursday, 2-4pm on Fridays If you need help with ESA and PIP applications, you will need to make an appointment.

Brighton Voices in Exile

01273 328598 bvie@hotmail.co.uk

Offers advice and support to refugees, asylum seekers, those with indefinite leave to remain and no recourse to public funds on housing, benefits, education and employment.

Drop-in Tuesdays 10am – 12 noon.

Brighton & Hove City Welfare Rights Team

01273 291116

www.brighton-hove.gov.uk/welfarerights

The council's Welfare Rights Team is a small team who primarily train other advisers on welfare benefits.

They also offer advice to people who have been turned down for benefits and run a public advice line every Monday.

Brighton & Hove City Council Benefits Service

01273 292000

www.brighton-hove.gov.uk/benefits

Depending on family or household income and circumstances, some families may be entitled to housing or council tax benefit. The Benefits Service processes these claims for residents in Brighton & Hove.

For information and full details of their drop-in and appointment services at Bartholomew House and neighbourhood offices, visit the website.



Help with finding work and training

Local advice and support

The Whitehawk Inn

01273 682222

www.whinn.org.uk

The centre offers a wide range of courses, as well as help and advice about work and volunteering opportunities.

The Bridge

01273 687053

www.thebridgebrighton.com

The Bridge is based in Moulsecoomb and offers a range of courses and support to get into work, including a weekly job club where you can find local vacancies and get help with your CV.

Jobcentre Plus

0345 6043719

www.gov.uk/contact-jobcentre-plus

30/35 Edward Street, Brighton 87A Boundary Road, Hove

Universal Credit

Full Service Centre Number 03456 000722 People on Universal Credit will need to contact their work coach via their online claim or phone the service centre.

Those who are not yet on Universal Credit can phone Jobcentre Plus on **0345** 604 **37129**.

The following websites contain useful information about looking for work, jobs, volunteering and training:

nationalcareersservice.direct.gov.uk

The National Careers Service provides information, advice and guidance to help you make decisions on learning, training and work opportunities.

The service offers confidential and impartial advice supported by qualified careers advisers. **0800 100900**

www.mylifebh.org.uk

The Brighton & Hove My Life Directory contains both local and national resources to support you to get back into work.

www.womenlikeus.org.uk

This website is specifically aimed at women who are looking to return to the workplace after having children.

www.communitybase.org

The site lists local jobs with charities, community groups, local government and health services. You can also view opportunities for volunteering.

www.bhcommunityworks.org.uk

Volunteering opportunities with local services and groups and support for volunteers.

www.ageuk.org.uk

The website supports older people who are looking to return to the workplace.

Council	Agenda Item 41
2 nd November 2017	Brighton & Hove City Council

Subject: George Street Opening Hours

Extract from the proceedings of the Environment, Transport & Sustainability Committee Meeting held

on the 10 October 2017

Date of Meeting: 2 November 2017

Report of: Executive Lead for Strategy, Governance & Law

Contact Officer: Name: John Peel Tel: 29-1058

E-mail: john.peel@brighton-hove.gov.uk

Wards Affected: Central Hove

FOR GENERAL RELEASE

Action Required of the Full Council:

To receive the item referred from the Environment, Transport & Sustainability Committee for information

Recommendation:

To note the report.

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

4.00pm 10 OCTOBER 2017

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Mitchell (Chair) Horan (Deputy Chair), Wares (Opposition

Spokesperson), Atkinson, Brown, Nemeth, Page, Peltzer Dunn, Robins and

West.

PART ONE

27. GEORGE STREET OPENING HOURS

- 27.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that proposed amending the opening hours to traffic in George Street, Hove. A report setting out options had been requested by the committee at its previous meeting held on 27 June 2017.
- 27.2 Councillor Moonan addressed the Committee on the proposals. Councillor Moonan noted that her fellow ward councillor, Councillor Wealls, was also fully in support of the proposals but was unable to attend the committee due to prior commitments. Councillor Moonan stated that a petition had been collated by the local traders and residents that had acquired over 2,600 signatures and a survey carried out and circulated to members of the committee in advance of the meeting that showed 74% support for the proposed change. Councillor Moonan stated that the issue was a difficult one with strong feeling on either side however; the proposals detailed in the report represented a compromise that kept George Street viable to the benefit of the community. Councillor Moonan explained that the removal of the two hours free parking by the local supermarket had led to a huge impact upon levels of trade on George Street with many reporting a 10% to 32% decline in takings. Councillor Moonan added that 75% of those who had answered the survey that also had mobility or visual impairment had said they could visit George Street more easily if the road was open to traffic earlier in the day. Councillor Moonan supplemented that the key to making the proposals a success was increased enforcement as well as increased signage for disabled users and pay and display parking machines. Councillor Moonan stated that the proposals were the beginning of a wider campaign to improve the pedestrian environment on the street and that could include taking action on the persistent driving of cars and bicycles the wrong way down the street, improving safety for pedestrians, introducing street planters and furniture and undertaking measures to reduce anti-social behaviour. Councillor Moonan reminded the committee that the proposals were for just a trial undertaking and she hoped they could be supported by the committee.

- 27.3 Councillor Peltzer Dunn stated that the change in parking arrangements had exacerbated existing issues on George Street. Councillor Peltzer Dunn added that it was uncertain whether trading issues in the street were related to its closure to traffic or a separate issue and a trial arrangement would be a worthwhile exercise to investigate. Councillor Peltzer Dunn stated that the recommendations were incorrect in so far that the trial period would be for seven months, not six.
- 27.4 Councillor Atkinson stated that the proposals struck a balance between the comfort of shoppers and the need of local businesses. Councillor Atkinson noted that the proposals were for a trial and was by no means permanent and the committee owed it to traders to take action on the concerns they had raised.
- 27.5 Councillor West asked of there had been any consultation on the proposals with Brighton & Hove Bus Company and other partners and whether the committee decision to be made was to undertake consultation via the advertisement of an experimental order. Furthermore, Councillor West noted that the Road Safety Manager had observed in 2015 some risk associated with right turning traffic and asked whether those concerns remained. Councillor West enquired as to how the trial would be properly evaluated as there was no detail on assessments within the report.
- 27.6 In response to the questions raised by Councillor West, the Head of Parking Services replied that formal consultation would be undertaken with Brighton & Hove Buses and other partners and stakeholders as part of the six month consultation period, confirmed that if the committee were minded to approve the recommendations that the trial would begin on 1st April 2018 and provided assurance that throughout period of consultation that there would ongoing dialogue with road safety and accident prevention officers who would also have input into how the trial was working. The Head of Parking Services clarified that the main evaluation would be the comments received to the consultation that would then be presented to the committee alongside the view of officers to make a decision on whether to make the order permanent, revoke the order or amend the order.
- Councillor West stated his shock at the proposals detailed in the report. Councillor West 27.7 observed that in response to a deputation presented to the committee in June, the Chair had highlighted the reasons behind not changing the access arrangements two years previous, including licensing arrangements, that the consultation had reported 85% of people against any change a that a number of road safety issues had been identified. Councillor West noted that there had been no further consultation with partners or the public and he had hoped to see a report that restated the concerns from 2015 with further assessment on the possible causes of a fall in trade on George Street such as the rise in online shopping, whether there was insufficient strength of draw and quality of public place improvements. Councillor West stated that in his view, the problems experienced on George Street were not related to traffic and parking and opening the street to vehicles earlier in the day risked public safety. Councillor West outlined his concern that relations with Brighton & Hove Bus Company were deteriorating and that such a proposal could further sour relations put potential investment opportunities at risk. In addition, the report did not quantify the effect of the earlier opening of George Street on other road users and residents. Councillor West stated that he fully supported the traders on George Street and that the council was doing them a disservice in not considering the wider reasons for a drop in trade. Councillor West repeated that the council needed to support sustainable transport initiatives and it was well researched

- fact that people that arrived in shopping areas on foot or by bike spent more money in shops. Councillor West stated the survey and report before the committee was not based on fact and was reckless in its approach to road safety.
- 27.8 On behalf of the Green Group, Councillor West moved a motion to defer the report to consider wider issues.
- 27.9 Councillor Page formally seconded the motion.
- 27.10 Councillor Wares stated that the two Central Hove ward councillors had worked very hard on the matter and it was wrong of them to be accused in such a way by a fellow councillor. Councillor Wares noted that the traders campaigning were well aware of the licensing requirements of their premises. Councillor Wares noted that the 2015 consultation resulting in 85% of people being against the proposal to open George Street earlier to traffic was based on thirty three email submissions yet the petition conducted by the ward councillors and traders had received over 2,600 signatures. Councillor Wares that the committee were uncertain of the reason for the drop in trade in George Street and advertising the experimental order would provide them the information required to make a sound decision, based on fact from officers, traders, local councillors, partners and stakeholders.
- 27.11 Councillor Page stated that George Street had become more pedestrian friendly over time and the only change that had triggered the proposals was the decision of the nearby supermarket to begin charging for parking on their premises. Councillor Page noted that clear evidence had been provided by a local sustainable transport organisation that demonstrated that more money was spent in shops by people arriving by foot or by bike. Councillor Page stated that the survey by the ward councillors appeared to be contradicted by evidence provided by Brighton & Hove Buses. Councillor Page highlighted that the issue was not one simply relating to transport but covered air quality, public realm, road safety and equality of public spaces and the proposals went against the council's own sustainable transport ambitions.
- 27.12 Councillor Nemeth stated that in the context of a unified approach from the George Street traders and ward councillors and it was important for the committee to be minded towards that in reaching a decision.
- 27.13 Councillor Robins concurred with the comment made by Councillor Nemeth and reminded the committee that the proposals were for a trial period alone.
- 27.14 The Chair moved a motion to correct the typographical error on recommendation 2.1 to read "7 months" rather than "6 months".
- 27.15 The Committee were in agreement with the proposal.
- 27.16 The Chair then put the Green Group motion to the vote which failed.
- 27.17 The Chair then put the recommendation to the vote that was agreed.
- 27.18 **RESOLVED:** That Committee agrees that a trial takes place through an experimental Traffic Regulation Order for George Street to open to traffic from the months of April

2018 to October 2018 after 4pm (instead of 6pm). An Experimental Order would be advertised before April 2018 through a notice on street, in the press and on the Council website which would allow comments from the start of the trial for a 7 month period.

32 ITEMS REFERRED FOR FULL COUNCIL

32.1 **RESOLVED:** That Item 27: George Street Opening Hours be referred to Full Council for information.

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

Agenda Item 31

Brighton & Hove City Council

Subject: George Street – Opening Hours

Date of Meeting: 10th October 2017

Report of: Executive Director Economy, Environment & Culture

Contact Officer: Name: Charles Field Tel: 29-3329

Email: Charles.field@brighton-hove.gov.uk

Ward(s) affected: Central Hove

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to consider a recent deputation that was received to this Committee on 27th June 2017 that proposed amending the opening hours to traffic in George Street. It was agreed at this meeting that a report would be presented to a future Environment, Transport & Sustainability Committee.
- 1.2 The Deputation from Central Hove Ward Councillors requested that officers produce a report to the committee considering options for George Street, Hove. The suggestion was that it could be opened to vehicles from 3.00pm, all year round due to significant changes to the local trading environment since 2015.

2. **RECOMMENDATIONS:**

2.1 That Committee agrees that a trial takes place through an experimental Traffic Regulation Order for George Street to open to traffic from the months of April 2018 to October 2018 after 4pm (instead of 6pm). An Experimental Order would be advertised before April 2018 through a notice on street, in the press and on the Council website which would allow comments from the start of the trial for a 6 month period.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 George Street (Hove) was pedestrianised in 1999 which was undertaken through an experimental traffic order and a subsequent permanent traffic regulation order. Numerous objections had been received in response to the proposed permanent order and a public inquiry was required because of the introduction of a loading ban in the street that extended beyond peak hours.
- 3.2 In 2003 a traffic regulation order was advertised to extend the street closure to 6pm all year round. Following objections a compromise was agreed and the hours were extended to 6pm in the summer only (1st Apr. to 31st Oct.). This was approved by the Environment Committee on 29 January 2004.
- 3.3 A petition was presented by Cllr Jan Young to the Environment Committee on 31st March 2011 on behalf of the George Street Hove Association of traders

- requesting a change in street opening hours to 4pm daily effective 1st April 2011 and continuing thereafter. The petition had 53 separate signatures.
- 3.4 Following this a letter was sent out to all the businesses and interested groups in June 2011 asking for their views on whether the council should carry out a more detailed consultation. It was outlined that a second stage of consultation would only happen later in the year if there was substantial support for change.
- 3.5 101 letters were sent out and 17 were returned giving a response rate of 17%. 7 responses (41%) were not in favour of further consultation while 10 (59%) responses were in favour of further consultation. Concerns were also outlined by the Council's Road Safety Manager that it could increase pedestrian/vehicle conflict and therefore the number of collisions and injuries.
- 3.6 Only 5 Interested groups responded, 3 of which included the B&H Bus Company, Friends of the Earth & Living Streets who all opposed an increase in street opening hours to traffic.
 - The Bus Company responded that they would be in favour of the extended summer hours continuing as it creates a great atmosphere and is welcomed by hundreds of bus passengers who shop in the street and enjoy the car free arrangements on late summer afternoons.
 - The Hove Business Association responded, whilst not stating a
 preference, that they would strongly recommend that further consultation
 takes place and that in the interest of democracy the results are published.
 - The Brighton & Hove Friends of the Earth did not see the value in having a further consultation on this scheme and that to reduce the pedestrian only hours in summer would be a retrograde step in any case.
 - Living Streets were opposed in principle to reducing the hours of pedestrianised streets, unless some very good reason could be adduced.
 - Sussex Police had no comment to make from a traffic management perspective. They felt that should the decision be made to proceed to wider consultation a further response would be considered.
- 3.7 Given the low turnout and the unclear result it was felt that things should be left as they are until there was a further strengthened argument that the majority of businesses wanted a change to the opening hours for traffic. An officer statement to the Environment Committee Meeting on 4th October 2011 was made concerning the consultation, appending the report and recommending no further action.
- 3.8 On 17th March 2015 the Environment, Transport & Sustainability Committee considered a petition presented by Cllr Andrew Wealls and signed by 91 people requesting that George Street open to traffic at 4pm all year around rather than the current opening of 6pm between April and October.
- 3.9 The Chair at the meeting noted that the response above (para 3.7) was based on the information supplied before the meeting that only 55 people had signed the

- petition up to that stage. On the basis that the new figure represented the majority of business on the street, it was requested that officers look into the issue again to examine the feasibility of a revised opening time.
- 3.10 On 7 July 2015 the Environment, Transport and Sustainability committee requested that the council consult businesses and residents on this proposal.
- 3.11 Brighton and Hove City Council Land and Property Gazetteer was used to send a letter to all 106 commercial and residential addresses along George Street. Where businesses were part of a chain, a copy letter was given for their Head Office. A prepaid envelope was included for reply and the consultation ran from 31 August to 28 September 2015. A letter containing a short questionnaire and a prepaid envelope for reply was sent to each address.
- 3.12 56 responses were received giving a response rate of 53%. 7 of these were residents and 49 of these were from businesses on George Street.
- 3.13 8 of these **(14.5%)** wanted to keep restrictions to stay as they are (7 businesses and 1 resident) and 47 **(84%)** want them to be 10am until 4pm all year round. One respondent did not answer this question **(1.5%)**.
- 3.14 Five stakeholders wanted to keep the restrictions as they currently are,
 - Brighton and Hove Economic Partnership
 - Brighton & Hove Friends of the Earth
 - Bricycles
 - SECAMB
 - Brighton and Hove Buses
- 3.15 One stakeholder KA Taxis supported the proposed changes.
- 3.16 The Council also received 39 email submissions from the public in general during the period of consultation. 33 **(85%)** were against any changes and 6 **(15%)** were in support of changing the times.
- 3.17 It is important to note that the Council does receive correspondence about the dangers pedestrians face in George Street from the volume and speed of through traffic. It is acknowledged that the layout, surface and cross-section aims to reduce speeds, but the need to preserve use by large vehicles has compromised the effectiveness of these and some conflicts do arise.
- 3.18 The following road safety issues have also been considered when making a decision on the way forward;
 - Custom & Practice The current conditions have established a 'pedestrianised' environment for the length of the business day which has led to a custom and practice of pedestrian freedom over that period. Whilst it would be clear to motorists through traffic signs and traders through consultation that these hours were shortened to 4pm, it could take some time before pedestrians became aware and conflicts are anticipated.

- Established Need Other than providing the ability for traders to enter earlier for loading purposes, there does not appear to be a social or traffic management need for vehicles to use George Street earlier in the day and access between Blatchington Road and Church Road can be easily achieved by other routes.
- Road Safety Increased right-turning traffic into George Street would further impact on the safety of the pedestrian crossing in Blatchington Road and increase conflicts at the north end of George Street, where we already have a collision history.
- 3.19 The following was also made clear in the consultation letter;
 - Licences for tables and chairs stipulate that they are for pedestrianisation hours only. Therefore if these hours were to be reduced then those licence holders would be unable to display tables and chairs outside of those hours. A practical example of the effect of the trader's proposals would be that a business who currently have about 6 tables and 24 chairs would have to remove these at 4pm in the summer or be in breach of their licence. If the "pedestrian only" hours are reduced to 4pm all year round then vehicles will be able to enter to park and load/unload in the road.
 - If the "pedestrian only" hours are left unchanged then vehicles will not be allowed to enter the road until 6pm in the summer and café/bar owners will be unaffected.
 - Any A-boards placed in the bays would need to be relocated to the footways.
- 3.20 The consultation produced very mixed consultation results between businesses, residents and users of the shopping area. The majority of businesses were in favour of changes to the hours and users of the road were clearly against.
- 3.21 It was, therefore, proposed to keep the opening hours as they are due to the road safety and operational reasons outlined above. Users of George Street also responded to request the status quo as well as the majority of stakeholders.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The other option is to keep the current opening hours of traffic.
- 4.2 The proposed recommendation would mean changes would be taken forward due to the reasons outlined in the report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The consultation on changing the hours of restriction in George Street (to 4pm all year round) was reported to the Environment, Transport & Sustainability Committee on 24th November 2015 and it was agreed not to proceed for the following reasons.
 - The licence to place advertising boards and tables and chairs on the public highway is for pedestrianised hours only.

- Some stakeholders wanted to keep the restrictions as they currently are.
- The Council received submissions from the public during the period of consultation and 85% were against any changes.
- A number of road safety issues were identified.
- 5.2 However, it is appreciated that the situation has now changed following the change in policy by Tesco's who now require a minimum spend of £5 to allow parking for greater than 30 minutes in their car park.
- 5.3 Therefore, following the deputation it was agreed that officers would relook at this and this report has been brought forward to consider the road safety and licensing concerns if vehicles are allowed to enter George Street from 3.00pm, all year round and to consider if a Traffic Order should be advertised which would then give a further period of consultation.

6. CONCLUSION

- 6.1 Officers in the Transport Department have looked into this and feel that the issues highlighted above are still valid and would be increased if the street opened at 3pm during school pick up time.
- 6.2 However, it is felt that the businesses concerns need to be considered following the changes to parking in the Tesco's Car park. Therefore, it is proposed that a trial takes place opening George Street at 4pm for a 6 month period (April 2018 to October 2018). An Experimental Order would be advertised before April 2018 which would allow comments for a 6 month period on how the scheme is working and any difficulties being encountered.
- 6.3 A report would then be presented to this Committee within 18 months of the experimental order being advertised outlining all the comments received. This would then determine whether to stop, amend or continue this arrangement from April 2019 onwards.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The option to change the hours of operation would result in costs of making a Traffic Regulation Order and new signage. These costs are expected to be approximately £0.002m and would be funded from existing revenue budget within the Parking Infrastructure service. It is anticipated that there will be no financial impact on parking fee income and highway licensing income if this option was implemented.

Finance Officer Consulted:Gemma Jackson Date: 05/09/2017

Legal Implications:

7.2 Experimental traffic orders are made under the provisions of sections 9 and 10 of the Road Traffic Regulation Act 1984.. Procedural requirements as to the making

of such orders are contained in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and require public notice of orders ("a notice of making") to be given. Experimental traffic orders cannot come into effect until the expiry of 7 days beginning with the date of publication of the notice of making. The notice of making must state, inter alia, that the Council will be considering in due course whether the provisions of the experimental order should be continued in force indefinitely and allow a period of 6 months during which any person may object to the making of an order for the purpose of such indefinite continuation.

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

Lawyer Consulted: Hilary Woodward Date: 8 Sept 2017

Equalities Implications:

7.3 No Equalities implications identified.

Sustainability Implications:

7.4 No Sustainability implications identified.

Any Other Significant Implications

7.5 The change may provide increased parking opportunities for the holders of blue badges wanting to use the local facilities.

SUPPORTING DOCUMENTATION

Appendices:

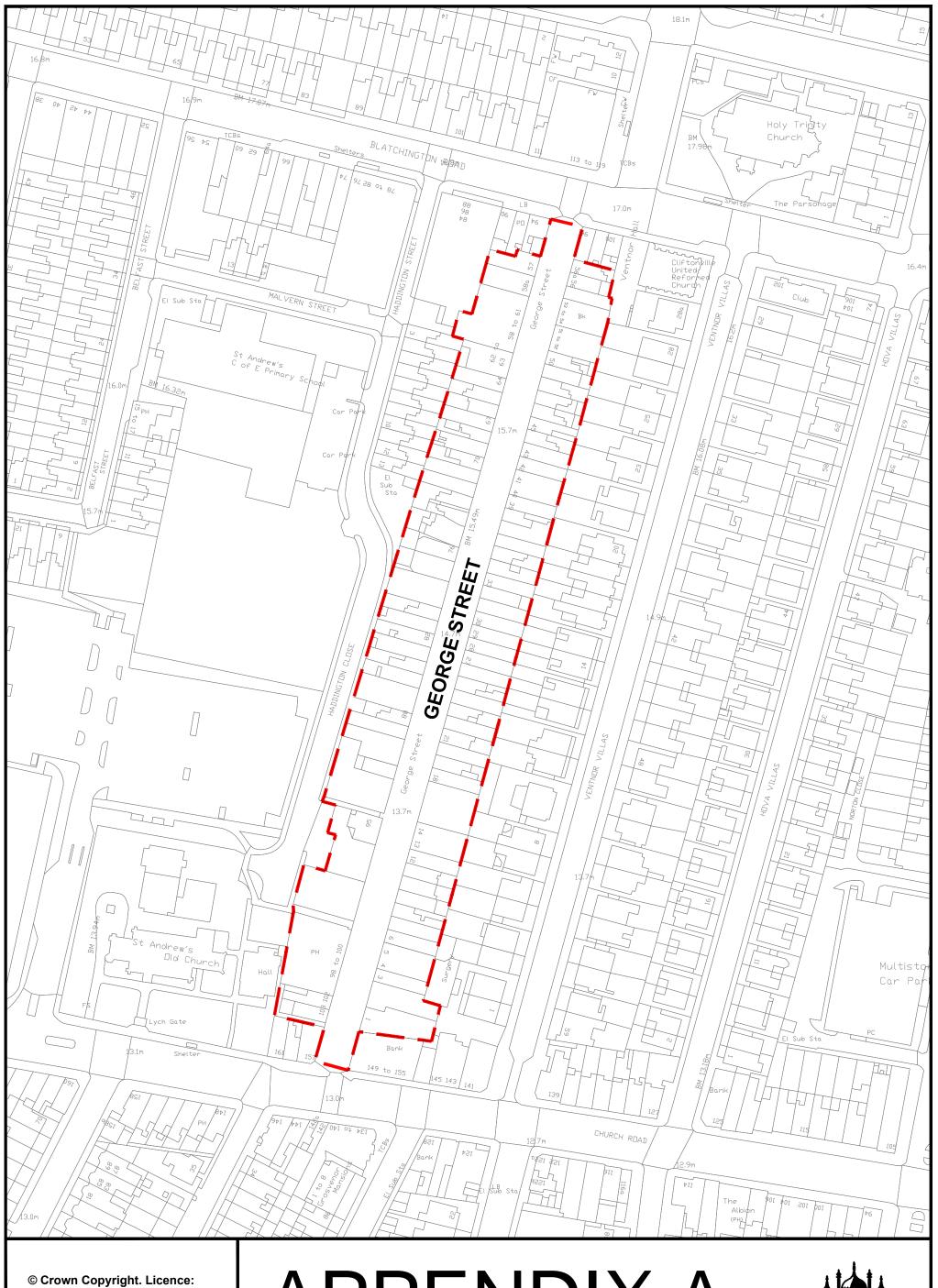
1. Appendix 1 – Plan of George Street

Documents in Members' Rooms

1. None

Background Documents

- Item 13 Environment, Transport and Sustainability Committee Meeting Report – 7th July 2015
- 2. Item 50 Environment, Transport and Sustainability Committee Meeting Report 24th November 2015.



100020999. Brighton & Hove City Council, 2015 APPENDIX A



Council	Agenda Item 42(a)
2 nd November 2017	Brighton & Hove City Council

LABOUR & CO-OPERATIVE, CONSERVATIVE AND GREEN GROUPS

CONFLICT IN MYANMAR

This Council recognises the deep concern expressed by residents of Brighton and Hove and other cities across the country regarding the increasing number of Rohingya refugees crossing from Myanmar into Bangladesh. Having previously recognised Aung San Suu Kyi's role and stand for the democratic right of the people of Myanmar by awarding her Freedom of City, this council:

- Calls on Aung San Suu Kyi to publically recognise the Rohingya people and acknowledge their democratic right to live in Myanmar and do all she can to end the military campaign against them;
- 2. Requests the Chief Executive to write to the Foreign Secretary and Myanmar Ambassador calling on them to condemn the actions of the Myanmar Government and its military junta and to end the campaign against the Rohingya people.

Proposed by: Cllr Morgan, Cllr Janio and Cllr Mac Cafferty

Seconded by: Cllr Mitchell, Cllr Wares and Cllr Deane

Supporting Information

With reports of over 300,000 people having fled the violence; and those people having fled describing troops destroying villages and attacking citizens, consideration needs to be given to withdrawing the Freedom of the City should Aung San Suu Kyi not speak out and take whatever action she can to stop the ethnic cleansing taking place in her country.

The Muslim Rohingya people in Burma have faced years of suffering at the hands of the Burmese Government, which does not recognise them as citizens. There is a need to call on the Burmese government to condemn the military campaign and allow International humanitarian access to the region immediately.

Should the situation in Myanmar not improve then the Council will need to give consideration to withdrawing the honour of Freedom of the City from Aung Suu Kyi, as she will have been complicit in the actions against the Rohingya people and the struggle for democracy and human rights she had previously been a steadfast advocate for.

Council	Agenda Item 42(b)
2 nd November 2017	Brighton & Hove City Council

CONSERVATIVE GROUP

BANNING OF SINGLE USE PLASTICS

This Council requests:

- (1) The Environment, Transport & Sustainability Committee to consider calling for a report detailing the economic and environmental impact of single use plastics, and the potential for a ban on the purchase of 'single use plastics' in all BHCC buildings and agencies;
- (2) The Policy, Resources & Growth Committee to consider the implementation of a ban on the purchase of 'single use plastics' in all BHCC buildings and agencies; taking into account the financial implications of such a ban and the recommendations of the Environment, Transport & Sustainability Committee;
- (3) To request the Procurement Advisory Board to encourage all businesses with which the council engage, via the procurement network, to support the banning of these consumables in their place of work.

Proposed by: Cllr Bell Seconded by: Cllr Nemeth

Supporting Information

We produce roughly 300 million tons of plastic each year and half of it is disposable. The nature of petroleum based disposable plastic makes it difficult to recycle and new materials and chemicals must be added to it to do so. Although plastic will not biodegrade, it will break down into tiny particles after many years. In the process of breaking down, it releases toxic chemicals which make their way into our food and water supply. These toxic chemicals can be found in our bloodstream. And the latest research has linked them to cancer, infertility, birth defects, impaired immunity and many other ailments.

Single use plastics are a major source of marine litter. Items such as bags, bottles and straws present a physical danger for marine life. In landfill or in our oceans, these everyday objects result in a vast loss of energetic and material value to the economy. The transition to a circular economy offers opportunities to close the loop and prevent marine litter and its ecological, social and economic impacts.

Further note:

- 1. £64-97 billion of material value from plastic packaging alone is lost to the economy each year.
- 2. Sectors such as tourism, fishing and shipping are commonly impacted by marine litter, and there is an economic burden on local authorities through clean-up costs.

NM02 – 02.11.17 Status: Proposed

Council	Agenda Item 42(c)
2 nd November 2017	Brighton & Hove City Council

GREEN GROUP

UNNECESSARY SINGLE-USE PLASTICS

This Council resolves to:

Request that a report be brought to Policy, Resources and Growth Committee on the options for bringing an end to the use of unnecessary Single Use Plastics (SUP) in Brighton and Hove, taking account of the following measures to:

- a) enable Brighton and Hove City Council to become a full signatory of the 'Plastic Free Pledge', by phasing out the use of unnecessary SUPs in all City Council buildings, and working with commissioning partners to end the purchase and procurement of SUPs through the BHCC supply chain;
- b) encourage the city's businesses, organisations and residents to go 'plastic free,' working with best practice partners in the city to explore the creation of a 'plastic free network,' that could provide business support, practical guidelines and advice to help local businesses transition from SUPs to sustainable alternatives;
- c) to incentivise traders on Council land to sell re-usable containers and invite customers to bring their own, with the aim of phasing out SUPs; including investigating the possibility of requiring food and drink vendors to avoid SUPs as a condition of their event permission, strengthening the existing Sustainable Event Commitment Form and guidance circulated to exhibitors and traders

Proposed by: Cllr Mac Cafferty Seconded: Cllr Littman

Supporting Information

There is a need to be aware of the damaging impact that Single Use Plastics (SUP) have on both our environment and public health, recognising that as a coastal city (and also a designated Biosphere), Brighton and Hove has a key role to play in reducing plastic waste.

- (1) Unnecessary (*i.e.* excluding medical items) Single-Use Plastics (SUP) used once before disposal e.g. bottles, cups and straws, are not widely recycled. Studies from Columbia University show SUPs can take up to 600 years to degrade, breaking into fragments that cause damage to the environment and permeate the food chain. Recent studies found that 72% of U.K tap water samples were contaminated with plastic fibres, and a third of all fish caught off the British coast contained plastic.
- (2) The Plastic Free Pledge encourages organisations and individuals to reduce SUP waste https://plasticfreepledge.com/ A petition calling on the Council to issue guidelines to local businesses on plastic reduction is here: http://bit.ly/2gtwqFC and a petition calling on Government to reduce and end SUPs here: http://bit.ly/2xSFLhs
- (3) Several trailblazing businesses and organisations in Brighton and Hove have already implemented plastic free alternatives, such as Brighton Catering Supplies, Silo, HisBe supermarket and The Tempest Inn. In particular, 56 venues in Brighton and Hove have pledged to limit or remove many SUPs, such as plastic straws.

NM03 – 02.11.17 Status: Proposed

Council	Agenda Item 42(d)
2 nd November 2017	Brighton & Hove City Council

CONSERVATIVE GROUP

UNIVERSAL CREDIT TRANSITION

This Council requests:

That the BHCC Chief Executive Officer writes to the Secretary of State for Work & Pensions to seek assurance that the residents of Brighton and Hove, who are transitioning from the complexity of six separate state benefits onto Universal Credit, will have the financial assistance necessary to make the switch as seamless as possible.

Proposed by: Cllr Janio Seconded by: Cllr Bell

Supporting Information

At the heart of Universal Credit is a belief that work should always pay. Universal Credit will eventually replace six benefits, including Working and Child Tax Credits.

Claimants can ask for an advance payment of Universal Credit, to help them budget while they're waiting for their first payment.

The announcement that claimants seeking an advance payment can now do so free of charge; following the Government's announcement that taxpayers will cover the cost of calls is welcomed.

Provision of 'alternative payment arrangements' that enable claimants to have the housing costs element of their Universal Credit paid directly to landlords is welcomed by many claimants.

- 1. Claimants moving to Universal Credit from other benefits do not receive less as a result of their move to Universal Credit, where their circumstances have otherwise remained the same.
- 2. For some claimants Universal Credit will provide a level of support that is higher than the current system.
- 3. There will be no cash losers as a result of the migration to Universal Credit, where circumstances remain the same, because the Government is providing cash protection to claimants whose Universal Credit award would be less than under the old system, in the form of an extra amount to make up the difference between the old and the new.

NM04 – 02.11.17 Status: Proposed

Council	Agenda Item 42(e)
2 nd November 2017	Brighton & Hove City Council

NOTICE OF MOTION LABOUR & CO-OPERATIVE GROUP

UNIVERSAL CREDIT

This council resolves to request the Chief Executive to write to the Secretary of State for Work and Pensions, requesting that the roll out of Universal Credit is paused until the issues associated with this key social security programme are fixed, including that:

- The in-built 6 week delay for initial payments should be ended,
- Claimants are allowed to choose between monthly and more regular payments
- The cap should be lifted on the housing element of Universal Credit
- Landlords should be paid direct by default
- Payments should be made to individuals rather than one payment per family.

This council also resolves to request the Chief Executive to:

• Inform the city's three MPs of this motion and to call for their support in lobbying the Government to achieve our objectives on this issue.

Proposed by: Cllr Penn Seconded by: Cllr Daniel

Supporting Information

The council and its voluntary sector partners are taking a multi-agency approach, working to support claimants with benefit & debt advice, digital support and a discretionary fund. However, many low income people are managing day to day, paying whichever bill is most urgent. Initial payments should not be delayed, and regularity of Universal Credit payments should be suitable for the individual and their circumstances, otherwise more people than ever will be driven into debt, and have to turn to loan-sharks and foodbanks.

Evidence from pilot areas shows more people falling into rent arrears under Universal Credit, and the housing element of Universal Credit is already below actual rents for many

https://www.citizensadvice.org.uk/Global/CitizensAdvice/welfare%20publications/Delivering%20on%20Universal%20Credit%20-%20report.pdf

https://england.shelter.org.uk/media/press releases/articles/shelter response to universal credit debate

https://www.landlords.org.uk/news-campaigns/news/two-in-ten-landlords-willing-house-universal-credit-tenants

Universal Credit goes to one bank account per family. This potentially increases dependency within households, and could exacerbate financial abuse as highlighted by Women's Aid and the TUC

https://www.tuc.org.uk/publications/unequal-trapped-and-controlled-womens-experience-financial-abuse-and-potential

NM05 – 2.11.17 Status: Proposed

Council	Agenda Item 42 (f)
2 nd November 2017	Brighton & Hove City Council

GREEN GROUP MITIGATING THE ADVERSE IMPACT OF UNIVERSAL CREDIT

In view of the potential impact of the transition to Universal Credit and the number of individuals and families likely to fall into rent arrears and possible eviction, the Council resolves to:

- 1. Request the Policy, Resources & Growth Committee to receive a report outlining how the Council can be as effective as possible on this matter, taking into consideration the following actions:
 - Where arrears are solely due to delay or wait-period for Universal Credit
 payments or removal of entitlement under Universal Credit, that officers use all
 means other than evictions and bailiffs to recover rent due; e.g. to delay any
 eviction proceedings in cases where Universal Credit Claims have not yet been
 processed;
 - That the Council work with partners to ensure all those affected by benefit changes are prioritised to prevent eviction and homelessness;
 - Explores the options for increasing the existing Discretionary Housing Payments budget, to support the distribution of greater one off payments in cases where eviction is a real risk following Universal Credit payment delays;
- 2. Ask the Chief Executive to write to the Secretary of State, requesting a reinstatement of the cut to New Homes Bonus Payments, so that a ring-fenced budget can be made available to cover the cost of increased homelessness resulting from Universal Credit

Proposed by: Cllr Gibson Seconded by: Cllr Sykes

Supporting Information:

The plans to mitigate the impact of Universal Credit (UC) were raised in the recent report to NICE committee (09.10.2017). Concerns about the design and implementation of UC were raised, in particular the impact of the initial payment waiting period, which has resulted in reported cases of rent arrears and debt in areas where Universal Credit has already been trialled.

- The Council previously supported a policy in order to protect tenants facing eviction as a result of the bedroom tax: (http://present.brighton-hove.gov.uk/Published/C00000170/M00006133/AI00056672/\$Item97fGrnGrpHousingSupportNoEvictions.docxA.ps.pdf)
- 2. In the Universal Credit pilot in the London Borough of Croydon the council has had to spend an addition £3 million on dealing with homelessness and rent arrears caused by late payments
- 3. A recent survey from the National Landlords Association (18.10.2017) revealed that only two in ten landlords are willing to let to tenants who state they are in receipt of Universal Credit.

NM06 – 02.11.17 Status: Proposed

Council	Agenda Item 42(g)
2 nd November 2017	Brighton & Hove City Council

LABOUR AND CO-OPERATIVE AND GREEN GROUPS

AFFORDABLE HOUSING AND ROUGH SLEEPING

This Council resolves to request the Chief Executive to write to the Secretary of State for DCLG Sajid Javid MP, calling for the introduction of legislation and regulations to increase affordable housing supply and to enhance security for tenants, and thereby reduce homelessness and rough sleeping in Brighton and Hove. These policy changes should include:

- Raising the HRA borrowing cap so the council can build more social housing
- Providing additional grants so social housing providers can build at lower rents and directly provide more accommodation for rough sleepers
- Allowing councils to suspend the right to buy where an affordable housing shortage exists
- Introducing more secure longer tenancies in the private rented sector
- Introducing powers for local councils to institute rent controls to suit local market needs
- Withdrawing the threat in the Housing and Planning Act to councils to sell much needed high value council homes and give the money towards HA discounts.

Proposed by: Cllr Moonan Seconded by: Cllr Gibson

The number of rough sleepers has continued to rise across the city, despite local services and charities working together to support 1300 people last year move off our streets and on with their lives. The increase in homelessness is fuelled by a shortage of affordable housing; unaffordable rents; short term insecure tenancies; loss of employment and reduced welfare benefits. Becoming homeless further increases and aggravates high levels of substance misuse, mental health needs, general poor health and disability, leading to high numbers of rough sleepers with multiple and complex needs in Brighton and Hove.

The implementation of the City's 2016 Rough Sleeping Strategy is in the process of delivering best practice and innovation across partner agencies.

The government is currently consulting on a green paper "Fixing the broken housing market", and that this motion proposes solutions to the acute problems identified in this paper.

The Government have provided £2.5m of additional welcome fixed term funding to help address homelessness prevention and rough sleeping in the city. But this is set against council cuts to hostel and homeless prevention resulting from austerity constraints. The homeless hostel system is full. There is a shortage of move on accommodation. The LA is the only body currently building social housing in Brighton and Hove, but it is limited by the HRA borrowing cap, which will severely hamper its ability to build new affordable homes in the future. The NHS has serious pressures on the mental health and substance misuses services necessary for this client group.

NM07 – 02.11.17 Status: Proposed

Council	Agenda Item 42(h)
2 nd November 2017	Brighton & Hove City Council

LABOUR & CO-OPERATIVE GROUP AND GREEN GROUP

FAIR PAY FOR PUBLIC SECTOR STAFF

This council resolves to ask the Chief Executive to write to the Prime Minister, the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government, calling for:

- An end to public sector pay constraint and real-term pay cuts,
- Extra government funding for public services so that fair pay settlements can be achieved without impacting services or jobs,
- Recognition of the disproportionate impact of these pay issues on women.

Proposed by: Cllr Morgan Seconded by: Cllr Deane

Supporting Information:

Independent polling carried out by Survation found that 75% of all voters support above inflation increases in public sector pay, including 69% of Conservative voters.

See the unions campaigns on falling public sector pay here

https://paypinch.org/about/

https://www.unison.org.uk/our-campaigns/pay-up-now/

https://www.tuc.org.uk/fair-pay-public-servants