



**Brighton & Hove
City Council**

POLICY & RESOURCES COMMITTEE ADDENDUM

4.00PM, THURSDAY, 9 JULY 2015

AUDITORIUM - THE BRIGHTELM CENTRE

ADDENDUM

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	To consider the following matters raised by members of the public:	
	(c) Deputations: to receive any deputations submitted by the due date of 12 noon on the 2 July 2015.	
	i) Meadowview and Coombe Road Area communities - Reduction in bus service – Rebecca Barkaway (Lead Spokesperson)	
28	MANAGING ANTI SOCIAL BEHAVIOUR IN CITY PARKS AND ON THE SEAFRONT	3 - 8
	Report of the Director of Public Health (copy attached).	
	<i>Contact Officer: Peter Castleton</i>	<i>Tel: 01273 292607</i>
	<i>Ward Affected: All Wards</i>	
32	NEW HOMES FOR NEIGHBOURHOODS - FINAL SCHEME APPROVAL - FINDON ROAD AND GARAGE SITES UPDATE	9 - 16
	Extract from the meeting of the Housing & New Homes Committee held on 17 June 2015 (copy attached).	
	<i>Contact Officer: Jaine Jolly</i>	<i>Tel: 01273 290356</i>
	<i>Ward Affected: East Brighton</i>	
33	REQUEST TO SELL PIECE OF HRA LAND AT CONNELL DRIVE	17 - 20
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	<i>Contact Officer: Simon Pickles</i>	<i>Tel: 01273 292083</i>
	<i>Ward Affected: Woodingdean</i>	

**Deputation on behalf of Meadowview and Coombe Road Area communities -
Reduction in bus service**

Meadowview and Coombe Road Area communities are significantly isolated parts of the city and we need a sustainable, reliable and long-term solution to the transport needs of our residents. Residents in the Meadowview and Coombe Road Area are extremely concerned at the loss of the twice hourly bus service up and down Coombe Road which was run by Brighton and Hove Buses. The replacement service run by Compass travel is less direct and only provides one bus up Coombe Road an hour and residents have a number of concerns - please see the appendix. Residents also recall that this service has been repeatedly under threat in the past.

Our communities are isolated and physically challenging to access. Residents believe that Meadowview was given planning permission on the understanding that regular, direct public transport to the area would be maintained.

We think that the reduction of bus service to our community contradicts the current Brighton and Hove Local Transport Plan (1) and means that some of the most socially excluded residents in Brighton and Hove (2) now have reduced access to services and amenities and are having to pay higher transport costs than those in other areas.

The reduced service is increasing the isolation of an already deprived community:

Residents need to have a regular bus service in order to be able to work, take children to school, access services and amenities, maintain social networks, access cultural activities and reduce the use of private vehicles. Regular public transport is also necessary for visitors to the cemeteries, the Care Home and Sussex Beacon, a service for men and women living with HIV. All of the users of these services may be unable to walk up the steep gradient - Bear Road has a maximum and average gradient of 1:8 and 1:11 respectively (3).

Residents of Moulsecoomb and Bevendean rely on public transport with only 38% having a car or van (6). Walking may not be an option for many residents and especially the 8.1% of residents whose activity is limited as a result of poor health (4). Residents report that public transport links are essential for maintaining their employment (5) and for many moving to the Meadowview-Coombe Road area was only viable due to the twice hourly bus links to the station.

The removal of an evening bus service will exacerbate this isolation further:

The end of council funding for the evening bus service to Meadowview and Coombe Road Area will leave residents socially isolated and prevent individuals from accessing the rich cultural life of the city.

Residents are fearful that they will be vulnerable to harm without an evening bus service and this fear of crime will further isolate residents. 24% of older people in city felt unsafe after dark (6). Residents are also concerned about the impact of the reduction in bus service during the winter months when pavements are risky and unusable due to ice.

Meadowview has no shops, doctor surgeries, pharmacies, dentists or launderettes. No evening service to this community effectively means those without access to cars are stranded without access to essential services during the evenings. Residents who are shift workers will be without transport.

We need an evening service, a regular and direct service and one that is sustainable.

This deputation is supported by: Rebecca Barkaway, (Lead Spokesperson), Stephanie Hedger, Mike Fitzsimons, Kate Honeyford, Sheena Hewens, Charles Titherley, Chris Jones, Amelia Mills

Supporting Information:

Concerns raised by Coombe Road Area/Meadowview residents regarding local bus service

Residents of the Coombe Road/Meadowview area have raised a number of concerns based on their experiences using the local bus service, which include the following:

- Buses running early and late from Meadowview terminus
- Buses cancelled, especially the 7.34am from Meadowview and the 3.22pm extra school bus service from the bottom of Coombe Road to Meadowview
- Overcrowding of buses, especially in the early evening
- Drivers are not aware of the correct fares
- Discourtesy of some drivers
- Weekday bus timetable is not useful for St Martin's Primary School times
- Buses are not meeting the timed stops
- Driving past bus stops/stopping for too short a time/not stopping to let passengers off
- Early morning bus not arriving - the service children use to get to school
- Buses are taken off with no notice
- Lost property must be collected from office located in Worthing
- Not all concessionary cards are accepted - eg children's bus ID
- Buses are not well spaced when they reach Sainsbury's, Lewes Road
- Delay in installation of Real Time displays at bus stops
- Bus routes are complicated and inconvenient

Sources cited in Deputation:

1. Brighton and Hove Local Transport Plan 4: Delivery plan 2015/16: 'support local PEOPLE AND COMMUNITIES with the greatest need who are the most vulnerable, develop more cohesive, inclusive and sustainable local NEIGHBOURHOODS and improve LINKS, ROUTES AND SERVICES to/from, or in, key local and central destinations'
2. The Meadowview community has high levels of deprivation (Brighton and Hove Snapshot - Report of statistics, 2014). Our ward of Moulsecoomb and Bevendean has higher number of income-deprived old people than other areas in Brighton (The Income Deprivation Affecting Older People Index (IDAOPI) 2010 quoted in Brighton and Hove Snapshot - Report of statistics, 2014) and high levels of child poverty - children receiving free school meals is an accepted indicator of child poverty and Moulsecoomb and Bevendean has a high number of children (37%) who fall into this category (Brighton and Hove Snapshot - Report of statistics, 2014).
3. Collis, R, The New Encyclopaedia of Brighton, 2010
4. Brighton and Hove Independent, 2015
5. 86.2% of the residents in Moulsecoomb and Bevendean are employed and many report the public transport links as essential for maintaining their employment (Brighton and Hove Independent, 2015)
6. Brighton and Hove City Snapshot - Report of Statistics 2014

Subject:	Managing Anti-social behaviour in City Parks and Open Spaces		
Date of Meeting:	9 of July		
Report of:	Director of Public Health		
Contact Officer:	Name:	Peter Castleton	Tel: 292607
	Email:	peter.castleton@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that there were delays getting agreement across essential council services at a time when a number were on annual leave.

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to outline a new option for managing anti-social behaviour in city parks and open spaces using a Public Spaces Protection Order (PSPO) that is now available using new powers under the Anti-social Behaviour Crime and Policing Act 2014 (ASBCPA).
- 1.2 This report considers the use of this new power in addition to existing legislation where injunctions or powers under the Criminal Justice and Public Order Act 1994 are used.

2. RECOMMENDATIONS:

- 2.1 That the committee designates the interim Head of the Community Safety, under the direction of the Director of Public Health to investigate the potential for the use of a Public Spaces Protection Order, including consultation with relevant partners and communities.
- 2.2 That following this investigation and consultation, Policy and Resources Committee is asked to consider the findings and agree on the implementation or otherwise of a Public Spaces Protection Order in certain areas of the city.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 A number of parks, areas of the seafront and privately owned land are frequently occupied by people sleeping in caravans, vehicles or tents. The occupation of these areas causes nuisance and annoyance for settled communities. In some instances in addition to the occupation of the land there have been reports of damaging land by driving on it, defecating nearby, leaving rubbish and criminal

damage. Settled local communities report that occupation of the land and premises disrupts their ability to utilise that space as they feel intimidated by the presence of groups of people. Many residents report an increased apprehension and increased levels of fear and concern.

- 3.2 People occupying these locations include ethnically defined Gypsies and Travellers who tend to use large caravans and towing vehicles, other van dwellers who use a variety of older large vehicles including caravans, people who choose to sleep in tents rather than rough sleep in the city centre and in some instances people camping whilst visiting Brighton. In relation to the tent encampments, these cover a broad range of people from British citizens to European nationals.
- 3.3 Injunctions, powers under the Criminal Justice and Public Order Act 1994 to move people on and bylaws have been used in the past to manage the occupation of land with varying degrees of success.
- 3.4 The purpose of a PSPO under the ASBCPA is to stop individuals or groups committing ASB, which can include trespass, in a public space. Councils can issue a PSPO after consultation with the police, the Police and Crime Commissioner and other relevant bodies and communities. The following criteria must be met in relation to the behaviour being restricted:
 - § be having a detrimental effect on the quality of life of those in the locality,
 - § be persistent or continuous; and,
 - § be unreasonable.
- 3.5 The following should be noted:
 - § Restrictions and requirements are set by the council.
 - § Can be enforced by a police officer, PCSO or council officer.
 - § Breach is a criminal offence, a fixed penalty notice could be issued or an offence is subject to a fine of up to level 3 (£1000) on prosecution.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 There are a number sensitive locations in Brighton and Hove where the frequency of occupation or the levels of ASB reported are particularly high. These locations would benefit most from a PSPO although it should be noted that displacement to other areas is likely to occur.
- 4.2 Further use of injunctions has been considered. The primary difficulty will be identification of the people involved in that socially excluded groups are sometimes reluctant to provide details which can lead to their identification. For instance, in relation to van dwellers most go by nicknames so enforcement via Civil jurisdiction is problematic. There is also the concern that if an injunction is appealed the land could continue to be occupied. Private land occupied with tents has been very difficult to deal with using existing powers. Again this may relate to very transient populations that are difficult to engage with. There are also concerns that using officers to identify people will place that relationship in difficulties and might put officers and agents at risk.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 At this stage no engagement or consultation has taken place. If the pilot progresses engagement and consultation would be conducted in accordance with the ASBCPA and accompanying guidance. There will be a rigorous review of that consultation.

6. CONCLUSION

- 6.1 Existing measures to manage the occupation of parks and land have had limited success in managing ASB associated with the unauthorised occupation of land. The trialling of a PSPO in areas that are most impacted by the unauthorised occupation of land would evidence that the council and partners are prepared to test other means of addressing the issue.
- 6.2 The use of PSPOs in city parks and open spaces is likely to disproportionately impact on some sections of society. The equality impact assessment and relevant actions of this pilot will need to be closely monitored. The use of this new legislation needs to be proportionate to the harm being caused.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 7.1 The investigation will be undertaken within the resources of the Public Health team and any detailed financial implications related to implementation of a PSPO scheme will be reported to a future P&R Committee.

Finance Officer: Anne Silley: Date: 24/6/15

Legal Implications:

- 7.2 The Act is a replacement for a number of pieces of legislation starting with the Crime and Disorder Act 1998 and subsequent legislation. As in the main this was altering what was already in place, this means that much of the legislation is like for like and so new additional delegated authority is required. This does not apply for PSPO's these are a new power, which until the completion of the constitution review has not formerly been allocated.
- 7.3 A similar issue is that the land cited comes in three tranches – park which is under the remit of Executive Director Environment Development and Housing; The Assistant Chief Executive has the remit for the Sea Front , The Director for Public Health heads the Community Safety Team which has the wider remit for asb in the city and covers Private land. Either all the respective Directors must be authorised. Given that the lead is being taken by the Community Safety Team, it may well be that this is the head of Public Health.
- 7.4 There are in existence bye laws. The impact of making one of these orders is to render the bye law not effective in so far as it duplicates the PSPO. So effectively we are changing the byelaws.

- 7.5 Each parcel of land should be considered separately and only if there are similar issues should there be one broad order. If the issues affecting the parcels of land are different then the PSPO for each individual parcel of land should reflect this.
- 7.6 The council can make a PSPO on any public space within its area. The definition of public space is wide and includes any place to which the public or any section of the public have access, on payment or otherwise as of right or by virtue of express or implied permission. There are particular considerations for registered common land, town or village greens and open access land.
- 7.7 When making the PSPO the council must have particular regard for the rights of freedom of assembly and freedom of assembly set out in the European convention.
- 7.8 The requirements for the imposition of an order are set out in the Act and accompanying guidance and these must be followed scrupulously. In addition consultation and what it means must be looked at in light of the act and also judicial interpretation. In this case it will have to be rigorous and we must be able to show the process. Otherwise the risk is that the Orders will be open to Judicial review.
- 7.9 At all stages the requirement of the Act must be complied with – this included following the appropriate requirements for publication of the orders and the signage that will follow when and if they are made.
- 7.10 There are significant issues around Equalities. Although there are several groups being caught in this process it is the Irish Travellers who have the most obvious claim to protection under the relevant legislation. While several of the areas are being included that have no history of traveller encampments many do. It may be regarded that this then has a significant impact on a group or groups likely to have protracted characteristics. An equalities Impact assessment should be undertaken. A legitimate aim may balance the breach of any Equalities duties against the requirements and needs of local residents and the safety of certain areas.

Lawyer Consulted: Simon Court Date: 24/6/2015

Equalities Implications:

- 7.11 Using a PSPO in the manner outlined in this report will impact on Gypsies and Travellers, van dwellers and street homeless. Irish travellers are an ethnically defined group and a full EIA will need to consider whether using a PSPO with particular prohibitions in city parks and open spaces will disproportionately adversely affect them and if so if it is reasonable or justified. At this stage an EIA has not been carried out. Prejudiced and hate based incidents reported by those displaced by a PSPO need to be monitored.

Sustainability Implications:

- 7.12 A PSPO can be made for three years. Consideration needs to be given to capacity to enforce in the future.

SUPPORTING DOCUMENTATION

Appendices:

None.

Documents in Members' Rooms

None.

Background Documents

None

Subject: **New Homes for Neighbourhoods – Final Scheme Approval – Findon Road and Garage Sites Update**

Date of Meeting: **17 June 2015**

Report of: **Head of Legal & Democratic Services**

Contact Officer: Name: **Caroline De Marco** Tel: **29-1063**
E-mail: Caroline.demarco@brighton-hove.gov.uk

Wards Affected: East Brighton, St. Peter's & North Laine, Hangleton & Knoll, South Portslade and North Portslade

FOR GENERAL RELEASE

Action Required of the Policy & Resources Committee:

To receive the item referred from the Housing & New Homes Committee:

Recommendation:

That the Committee:

- (1) Approve that the land at Findon Road, former Whitehawk library site is appropriated to the HRA for a capital receipt of £0.940 million for planning purposes and the development of new housing.
- (2) Approve a budget of £14.1 million for the Findon Road scheme in the HRA Capital Programme which will be financed through a mixture of unsupported borrowing and retained Right to Buy capital receipts.
- (3) That the site at 4-7 and 15-20 Kensington Street is appropriated for planning purposes and the development of new housing.

BRIGHTON & HOVE CITY COUNCIL**HOUSING & NEW HOMES COMMITTEE
17 JUNE 2015****MAIN MEETING ROOM – THE FRIENDS MEETING HOUSE**

Present: Councillor Meadows (Chair) Councillors Hill (Deputy Chair), Mears (Opposition Spokesperson), Gibson (Group Spokesperson), Atkinson, Barnett, Lewry, Miller, Moonan and Phillips.

PART ONE

- 8.1 The Committee considered the report of the Executive Director Environment, Development and Housing which focused on development proposals for the site at Findon Road, Whitehawk (former library site) that the Estate Regeneration Team now wished to progress through planning and construction stages. The report was presented by the Project Manager who referred to an error in the report. Recommendation 2.2 (iv) should not have mentioned the Wellsbourne site.
- 8.2 A Green Group amendment to the report recommendations had been circulated to Members prior to the meeting. The amendment was proposed and seconded by Councillors Gibson and Phillips.
- 8.3 The Chair referred to recommendation 2.1 ii which related to the scheme rent levels. She understood this had been agreed at a previous Housing Committee. The Executive Director Environment, Development and Housing explained that previously the committee had agreed the scheme in outline. The Housing Programme Manager explained that the previous report contained modelling regarding potential rent levels and options. Once the detailed design has been carried out officers present a report with rent options and explain the effects on the HRA.
- 8.4 Councillor Gibson set out his reasons for the amendment which related to affordability. There was a commitment from the previous Housing Chair to see if rents could be a little bit lower and more affordable. No-one else was providing social or living rents in the city. It was not a question of reducing subsidy from the government. Subsidy was not going into buildings. It was going into the benefits of people who had their wages topped up by housing allowance.
- 8.5 Councillor Gibson stated that the committee should be bold and ask officers to model some lower rents; either living rents or social rents on these new council houses. Councillor Gibson stressed that the council had lost over 100 socially rented Council houses in the city through Right to Buy. The council could go some way in replacing these properties. A social rent was half of the levels of the rent in the scheme proposals.

- 8.6 Councillor Gibson stated that officers had made the point that the lower the rent charged the less there would be in revenue. However, Councillor Gibson considered that the modelling had overlooked certain benefits. For example, management costs would not be increased when the properties were built. There could be consideration about the period the modelling took place. 40 years would be more sensible than 30 years. Councillor Gibson asked for an affordable rent strategy. He stressed that there were 10,000 people who could only afford social rents and that it was incumbent on the council to go some way in meeting the needs of these people. Councillor Gibson welcomed the progress of 200 new homes. He asked for some to be truly affordable. The current rates were not affordable.
- 8.7 The Interim Head of Housing stated that with regard to management costs, anything could be included or excluded in the modelling. He was not sure if the modelling suggested by Councillor Gibson was being carried out anywhere else. It would mean that the council would be asking existing tenants to pay for the management costs of new tenants. There was a need to be seen as fair. If the council were building hundreds of homes it could not achieve this type of modelling. For this reason the suggestion was not feasible. The Principal Accountant concurred with the Interim Head of Housing.
- 8.8 The Interim Head of Housing suggested that there could be a different mix of housing. For example, houses for sale to subsidise rented housing. However this would result in the delivery of fewer affordable units.
- 8.9 Councillor Miller stated that he considered that rent should be lower and the costs cheaper. He asked why the costs were so high. The Executive Director explained that work was tendered in the market to achieve the best possible rate for the build. The building costs with inflation were very high. The Housing Programme Manager reported that the £14.1m was the end cost not just the build costs. Officers were finding a shortage of skilled labour and materials in the local market. There were other issues with this particular site. Extensive ground work had increased costs. The scheme had a number of wheelchair units. There were three high specification lifts in the development. These were the reasons why it was more costly than a private development. The scheme would be brick built and officers would aim to bring more information to councillors. A workshop for councillors relating to development process and finance was suggested.
- 8.10 Councillor Mears did not consider that the site at Findon Road was difficult in terms of gradient. There was an issue regarding costs. She was concerned that the council had external architects to draw up plans before in house architects took over to finalise the scheme. Councillor Mears stated that she wanted to understand the funding of the land. When the library was built in Whitehawk the grant was £5.9m. There was a shortfall of 2m. There was a proposal to sell land to pay back the general fund. This did not happen. Councillor Mears asked exactly what was being paid to the general fund for the land.
- 8.11 The Principal Accountant confirmed that total cost to the HRA for the both sites was still £1.3m. The £0.940m was an element of the £1.3m for Findon Road. When the

development proposals for the Wellsbourne site progressed the balance would be paid to the GF for that land.

- 8.12 Councillor Mears referred to the financial implications and mentioned that in the past the council had a 30 year business plan. There was now a 10 year difference. Why was the council carrying risk for an extra 10 years?
- 8.13 The Principal Accountant explained that the building valuation had a life of 60 years and the rental stream was expected to go beyond than 60 years. It was standard practice to model borrowing between 30-40 years and this didn't carry a risk to the viability of the Business Plan.
- 8.14 The Housing Programme Manager explained that external architects were used at the initial stage to get high quality design. The plans were then passed to internal architects. This method worked very well and did not involve duplication. Section 106 funding was included in the modelling at £5000 per unit, but actual costs would not be known until after planning permission had been gained.
- 8.15 Councillor Miller asked questions relating to cycle storage, the ground floor and whether the police had been consulted on the scheme. He further asked why rent was charged weekly rather than monthly and asked if rents could be lowered if costs were kept low.
- 8.16 The Housing Programme Manager explained that there was a need to meet the standard with regard to cycle storage. There were 10 disabled flats on the ground floor. This number might be reduced to 7. The police were involved in the planning consultation. There would be a more detailed consultation as part of the planning process. With regard to costs, alternative models were being investigated for future schemes.
- 8.17 The Project Manager stated that each flat had some private amenity space in the form of a balcony or garden.
- 8.18 The Interim Head of Housing explained that a review was being carried out on rental income and recovery. The question of whether to move to monthly payments would be investigated as part of the review.
- 8.19 Councillor Barnett stressed the need for family homes. She was disappointed that the plans did not show any children's play areas. The Project Manager replied that there was general amenity space. Meanwhile, officers had worked with the Neighbourhood Council and would look at options for the Whitehawk area outside the planned development scheme.
- 8.20 The Chair stated that having read the report and the Green Group amendment she was concerned that the development might be postponed. She was also concerned that if rents were lowered it would lower the number of homes. There was a need to ensure that rent levels were feasible in order to be able to deliver new homes that were needed in the City.
- 8.21 Councillor Phillips asked Members to consider who would provide affordable accommodation if the council were unable to provide it. She asked Members to vote in

favour of the amendment. Councillor Phillips asked if the committee could support a working group which would include representatives of the Brighton Housing Trust, the Community Land Trust and the developers of the low cost houses in Lewes (KSD Housing) to see if the council could achieve truly affordable accommodation in the city.

- 8.22 At this point of the proceedings the Committee considered the Green Group amendment. Councillor Phillips requested that each recommendation be voted on separately. The Chair stated that there would be a vote on the whole amendment.
- 8.23 The Senior Lawyer stated that she had serious concerns about adopting a policy which would create a rule of thumb for the future. She referred to 2.2 (vii) of the amendment and recommended that this should not be agreed without a written report.
- 8.24 The Committee had a short break before returning to vote on the amendment.
- 8.25 The Committee considered the following amendment.

Proposed amendments to the recommendations listed in the report:

To delete recommendation 2.1 (ii) "The scheme rent levels," as struck through and replace it with a new recommendation, "*model rent options that provide for living rent or social target rents as part of the Findon Rd development and bring these back for decision to the next housing committee**," as shown in bold italics below; and

To insert a new recommendation 2.2 (vii), "*Adopt a policy of not increasing rents on new affordable homes, in such a way that in subsequent years the gap between affordable rents and social "target" rents reduces more quickly,*" as shown in bold italics below:

2.1 That the Housing and New Homes Committee approve the:

- (i) The final design;
- (ii) ~~The scheme rent levels,~~ ***Model rent options that provide for living rent or social target rents as part of the Findon Rd development and bring these back for decision to the next housing committee*****
- (iii) The estimated levels of additional investment required from the Housing Revenue Account (HRA) for the chosen rent model and delegates authority to the Executive Director of Environment, Development & Housing and the Executive Director of Finance & Resources, in consultation with the Estates Regeneration Member Board, to agree reasonable amendments to that subsidy if changes arise; and

2.2 That the Housing & New Homes Committee recommends to Policy & Resources Committee to:

- (iv) Approve that the land at Findon Road, former Whitehawk library site is appropriated to the HRA for a capital receipt of £0.940 million for planning purposes and the development of new housing;

- (v) Approve a budget of £14.1 million for the Findon Road scheme in the HRA Capital Programme which will be financed through a mixture of unsupported borrowing and retained Right to Buy capital receipts;
- (vi) That the site at 4-7 and 15-20 Kensington Street is appropriated for planning purposes and the development of new housing; and
- (vii) ***Adopt a policy of not increasing rents on new affordable homes, in such a way that in subsequent years the gap between affordable rents and social “target” rents reduces more quickly.***

**This may be achievable by:*

- *Altering subsidy levels*
- *Revising the modelling to recognise that the management costs allowed for in the modelling does not represent real additional expenditure and so could be disregarded*
- *Building into the model recognition of the subsidy provided to the HRA from rents should the loan be a repayment loan*
- *Acknowledging that in any case after a 40 year period when the loan is repaid the scheme rents will generate a subsidy for the Housing Revenue Account (HRA) justifying an initial subsidy*

8.26 The Committee voted on the amendment proposed by Councillors Gibson and Phillips. Two members voted for the amendment and eight members voting against. The Committee then took a vote against the amendment. Eight members voted against the amendment and two members voted for the amendment. The amendment was not carried.

8.27 Members then moved to the recommendations in the report (as amended by the deletion of ‘*and Wellsbourne site*’ in paragraph 2.2 iv) which were agreed. Two members abstained on recommendations 2.1, i, ii and iii.

8.28 **RESOLVED:-**

(1) That approval is given for:

- i. The final design.
- ii. The scheme rent levels.
- iii. The estimated levels of additional investment required from the Housing Revenue Account (HRA) for the chosen rent model and delegates authority to the Executive Director of Environment, Development and Housing and the Executive Director of Finance and Resources in consultation with the Estate Regeneration Member Board to agree reasonable amendments to that subsidy if changes arise.

- (2) That the Policy and Resources Committee be recommended to:
- iv. Approve that the land at Findon Road, former Whitehawk library site is appropriated to the HRA for a capital receipt of £0.940 million for planning purposes and the development of new housing.
 - v. Approve a budget of £14.1 million for the Findon Road scheme in the HRA Capital Programme which will be financed through a mixture of unsupported borrowing and retained Right to Buy capital receipts.
 - vi. That the site at 4-7 and 15-20 Kensington Street is appropriated for planning purposes and the development of new housing.

Subject: Request to sell Piece of HRA land at Connell Drive
Date of Meeting: 17 June 2015
Report of: Head of Legal & Democratic Services
Contact Officer: Name: **Caroline De Marco** Tel: **29-1063**
E-mail: Caroline.demarco@brighton-hove.gov.uk
Wards Affected: **Woodingdean**

FOR GENERAL RELEASE

Action Required of the Policy & Resources Committee:

To receive the item referred from the Housing & New Homes Committee:

Recommendation:

- (1) That the Policy & Resources Committee be recommended to agree that the council sells the freehold of the subject land at Connell Drive, Woodingdean to the applicant, Geoffrey Wells.

- (2) That the Policy & Resources Committee be recommended to use the capital receipt to support the housing capital programme.

BRIGHTON & HOVE CITY COUNCIL

HOUSING & NEW HOMES COMMITTEE

17 JUNE 2015

MAIN MEETING ROOM – THE FRIENDS MEETING HOUSE

Present: Councillor Meadows (Chair) Councillors Hill (Deputy Chair), Mears (Opposition Spokesperson), Gibson (Group Spokesperson), Atkinson, Barnett, Lewry, Miller, Moonan and Phillips.

PART ONE

- 12.1 The Committee considered the report of the Executive Director Environment, Development and Housing concerning a request to buy a piece of HRA land, which Housing Committee and Policy & Resources Committee are required to consider since the value of the land exceeds £25,000 (which exceeds the Executive Director's delegated powers). The report was presented by the Housing Stock Review Manager.
- 12.2 Councillor Phillips informed Members that she and Councillor Moonan had carried out a site visit and had a number of questions about the land which was directly in front of site in question. Councillor Phillips wondered if these questions had been answered and whether the committee might benefit from a site visit given the location of the land. There was no information in the report about how much financial benefit the council might get from leasing the land rather than selling it. Councillor Phillips asked why the land directly in front of the land proposed for sale was not a priority and what scope there was to build on this land i.e. how many houses or flats.
- 12.3 The Housing Stock Review Manager replied that the key issue was whether the sale would inhibit the council's development ambitions on the adjoining green space. He had raised these issues with planning officers and their view was that the green space was not developable due to the sloping nature of the site and the unacceptable impact the development would have on the amenity of the existing houses. The site had never been on the list of potential regeneration sites. It was not recommended by the development consultants five or six years ago.
- 12.4 The Housing Stock Review Manager reported that in terms of numbers of houses and flats, he had spoken to an architect who stated that based on work carried out on regeneration, two houses or four flats would be the maximum, but there were significant issues about highways access and the tree which might be subject to a Tree Preservation Order. With regard to leasing, the Housing Stock Review Manager had spoken to the council's valuer who stated that it would be a small amount and it would mean that the whole new title would be a mixture of a long lease and freehold. This may make the property unsellable in the future.

12.5 Councillor Gibson asked how the valuation was carried out. Was it a standard formula or based on recognition that it was valuable in terms of a housing development. The Housing Stock Review Manager replied that it was the latter.

12.6 The Chair asked for clarification regarding the revised site map which had been circulated before the meeting. The Housing Stock Review Manager replied that the original drawing was based on the Council's Localview mapping system. The amended version was based on the Land Registry. It did not affect the valuation.

12.7 Councillor Miller asked which map was used when the valuation was made. The Housing Stock Review Manager replied that the valuer had confirmed that the exact size of the land was immaterial. The value was based on the development the applicant was proposing.

12.8 **RESOLVED:-**

- (1) That the Policy & Resources Committee be recommended to agree that the council sells the freehold of the subject land at Connell Drive, Woodingdean to the applicant, Geoffrey Wells.

- (2) That the Policy & Resources Committee be recommended to use the capital receipt to support the housing capital programme.

