



**Brighton & Hove
City Council**

**TOURISM, DEVELOPMENT &
CULTURE COMMITTEE
ADDENDUM**

4.00PM, THURSDAY, 16 NOVEMBER 2017

COUNCIL CHAMBER, HOVE TOWN HALL

ADDENDUM

ITEM		Page
30	PUBLIC INVOLVEMENT (a) Carnegie Library - Question from Christopher Hawtree (copy attached).	1 - 2
31	MEMBER INVOLVEMENT (a) Written questions from Members and responses from the Chair (copy attached). Note: Each councillor will have the opportunity to ask one supplementary question.	3 - 6
32	OUTDOOR EVENTS - MADEIRA DRIVE ROAD CLOSURES 2018 (a) Amendment from the Green Group (copy attached).	7 - 10
33	OUTDOOR EVENTS IN PARKS AND OPEN SPACES 2018 (a) Amendment from the Green Group (copy attached). (b) Amendment from the Conservative Group (copy attached).	11 - 16
35	REVIEW AND UPDATE OF PLANNING AND BUILDING CONTROL FEES AND CHARGES (a) Officer's revision to Appendix 1 – page 77 of the agenda.	17 – 18

WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed for questions submitted by a member of the public who either lives or works in the area of the authority at each ordinary meeting of the Committee.

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

The following written question has been received from a member of the public.

(a) Carnegie Library – Question from Mr. Hawtree.

“Would Councillor Robins please tell us what plans he has to fill the 38 General Fiction shelves which, at Hove’s nationally esteemed Carnegie Library, are currently either empty or given to a few face-on books?”

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions listed on pages 27 - 27 of the agenda have been received from councillors and will be taken as read along with the written answers from Councillor Robins, the Chair of the Committee listed below.

The Chair will give an opportunity for the councillor who submitted a question to ask one supplementary question.

(a) Councillor Nemeth

“With regard to the inclusion of the Royal Pavilion Gardens on Historic England’s ‘at risk’ register, will the Chairman explain why a spokesman for Brighton & Hove City Council made the following misleading statement?:

“Inclusion of the garden on the register is absolutely not a criticism of those responsible for it.”

As a reminder, Andrew Brown, planning director for Historic England in the South East, stated: *“To say it’s not a criticism is to push the interpretation of being on the register to its extremes. It’s not a straightforward criticism, but I would liken it to an amber light, to say if the council carries on the way it’s going at the moment, it’s going to harm the historic importance of the gardens. We’re not trying to police them but to flag up the fact it’s going in the wrong direction and to offer help.”*

Reply

“The placing of the Royal Pavilion Gardens on the “at risk” register reflects Historic England’s published view that “Pressure on public finances presents a challenge for many of our most celebrated public parks and cemeteries.”

Historic England has been clear that caring for such important heritage sites is a significant challenge in the current climate, and may require more resources than can be found locally. The “at risk” register aims to highlight the need for agencies and communities to come together locally, regionally and nationally and Historic England acknowledges that it is no criticism of any one administration, given that Councils do not have the resources to carry out large scale or long-term conservation. Historic England has assured us that this step is intended to raise the profile of the challenge of caring for such assets, and to help guide us in developing our Conservation Plan for the Gardens, and in seeking funding partnerships to protect and conserve the site long term by establishing it as a priority. We have already started this process, having appointed Sussex-based landscape specialists Chris Blandford Associates to prepare a Conservation Plan and 10 year Management Plan.”

(b) Councillor Nemeth

“Will the Chairman detail which sports clubs he has met with in his capacity of head of sports for Brighton & Hove (a) this year and (b) since the last TDC meeting?”

Reply

“The Head of Sport & Leisure meets regularly with the key organisations that provide sporting opportunities across the city including Freedom Leisure, Brighton University, Sussex University, Albion in the Community, Sussex Cricket Foundation and Active Sussex. In addition, meetings are held regularly with Governing Bodies of Sport such as the Sussex Football Association, Rugby Football Union and England Hockey who represent the interest of their member sports clubs. Furthermore, meetings are regularly held with individual clubs by a range of council officers on such matters as seeking to improve facilities or participate in events. While I discuss regularly key issues with the Head of Sport & Leisure, I am always willing to meet with clubs and organisations if they so wish.”

(c) Councillor Nemeth

“Will the Chairman provide an update on the planning enforcement situation at Marlborough House following the issue of recent enforcement notices, including that which expired on 6th November 2017?”

Reply

“The enforcement notice expired on Monday 6 November. A site visit took place on Wednesday 8 November and officers confirmed that works have not commenced to comply with the Listed Building Enforcement Notice. Officers are currently liaising with the legal team to ascertain the action that should now be taken.”

(d) Councillor Nemeth

“Will the Chairman detail his role in the recent decision by Brighton & Hove City Council to change tennis courts in Hove Park into football pitches?”

Reply

“Hove Park is within the responsibilities of Cityparks and therefore Cllr Mitchell as the portfolio holder for Environment, Transport & Sustainability was consulted on the decision as well as the ward councillors, Cllr Brown and Cllr Bennett. I was therefore not involved in the decision.”

(e) Councillor Nemeth

“Will the Chairman provide the latest figures for open and pending planning enforcement cases for (a) August, (b) September, (c) October and (d) November?”

Reply

“The table below shows the enforcement case figures for received and closed cases and the total number of open cases for August, September and October. The figures for November are not yet available.

The figures show an increase in on hand enforcement cases over the time period. This will be addressed through management of resources and an Enforcement Policy that will come before this Committee in January.”

	Cases Received	Cases Closed	Total Number of Cases as at the end of each month *	Number of cases waiting to be allocated
August	61	82	773	336
September	52	42	781	358
October	52	45	795	382

*includes cases allocated to officers and those waiting to be allocated.

(f) Councillor Nemeth

“Will the Chairman give his thoughts on the impact of Brighton & Hove’s current fly-tipping epidemic on tourism and detail which other tourist towns/cities he has studied for innovative ways to tackle the issue?”

Reply

“The city council is one of the most active in the country for tackling flytipping. In figures collected by the Press Association, Brighton & Hove issued 276 fines to flytippers in the 12 months to May 2017, the fifth highest in the country. The council’s updated figures show that 618 fines have been issued to date compared with 196 last financial year.

Improving the environment is a priority for the city council and officers have been highlighting the environmental impact of all kinds of discarded waste, from dog poo to litter.

Enforcement has also been stepped up. Since March 2016 more than 5,000 fixed penalty notices were issued. Of these 594 were for flytipping, including 346 where businesses were using council owned bins to illegally dispose of waste. Fines for flytipping are set at £300.

On average we get about 160 flytips reported to us each month, not including those identified and cleared by our streets teams. The message is that those responsible will be fined and in extreme cases prosecuted.

Staff from the council’s Cityclean have highlighted the issue by putting ‘environmental crime’ tape round flytips. This is part of their ‘Crime not to Care’ campaign which has also involved community engagement and the installation of CCTV at known flytip ‘hotspots.’ Due to the increased awareness there was a

big jump in reported flytips from 466 in the first quarter of the year to 776 from April to June.

This Committee agreed earlier this year that officers would develop a new Strategy for the city's visitor economy, alongside the development of a new Economic Strategy for the city and a new strategy for Arts & Culture. Progress on the development of these strategies will be reported to the committee in the New Year. In all cases, officers are seeking to learn from other cities nationally and internationally to ensure that Brighton & Hove remains competitive as a visitor destination both nationally and internationally.”

OUTDOOR EVENTS – MADEIRA DRIVE ROAD CLOSURES 2018

GREEN GROUP AMENDMENT

To amend the recommendation 2.2 and insert new recommendations 2.3 and 2.4 as shown below in ***bold italics***;

2.2 That the committee authorises officers to enter into formal agreements with event organisers ***on the current event schedule*** to determine conditions, fees and levels of support as appropriate ***in accordance with the terms of the council's existing Outdoor Events Policy***

2.3 ***That the committee requests officers to report back on formal agreements on a bi-annual basis, including:***

- compliance with the outdoor events policy and other BHCC corporate commitments as they affect:

- communities such as licensing and environmental health;

- quality and nature of any feedback received from the public

- details on fees and charges levied in each circumstance and the rationale for them (in Part 2 papers if necessary for reasons of commercial sensitivity);

2.4 ***That a report be brought to a future committee outlining options for a review and update of the Council's Outdoor Events Policy, to include:***

(a) More robust sustainability criteria:

- investigating the possibility of requiring event organisers and vendors to avoid Single Use Plastics as a condition of their event permission

- strengthening the existing Sustainable Event Commitment Form and guidance circulated to exhibitors and traders;

(b) A requirement for more detailed information on:

- how events comply with equality legislation, such as the impact on disabled access to surrounding public rights of way;

- how events comply with agreed corporate sustainable transport commitments;

(c) The development of a new charging schedule to provide consistency and transparency, which explores options for:

- **charges based on commercial event income;**
- **charges based on attendance figures;**
- **more clarity on the categorisation of events e.g. the criteria for being assessed as commercial, charity or community event;**
- **the introduction of a standalone Environmental Impact Charge, with ring-fencing being used to: provide physical mitigation to open spaces directly affected by events;**
- **a proportion of event fee being used to support immediate priorities for funding identified by the Open Spaces strategy and community & parks associations (e.g. 'Friends Of' Parks and Open spaces associations;**
- **Additional fees levied to support animal welfare provision and inspections where animals are part of events.**

2.3 2.5 That the committee authorises the Executive Director Economy, Environment & Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

Proposed by Cllr Druitt

Seconded Cllr Mac Cafferty

Recommendations if carried to read:

- 2.1 That the committee grants landlord's consent for the 2018 programme of events on Madeira Drive and the associated road closures as listed in Appendix ;
- 2.2 That the committee authorises officers to enter into formal agreements with event organisers on the current event schedule to determine conditions, fees in accordance with the terms of the council's existing Outdoor Events Policy;
- 2.3 That the committee requests officers to report back on formal agreements on a bi-annual basis, including:
- compliance with the outdoor events policy and other BHCC corporate commitments as they affect:
 - communities such as licensing and environmental health;

- quality and nature of any feedback received from the public
- details on fees and charges levied in each circumstance and the rationale for them (in Part 2 papers if necessary for reasons of commercial sensitivity);

2.4 That a report be brought to a future committee outlining options for a review and update of the Council's Outdoor Events Policy, to include:

(a) More robust sustainability criteria:

- investigating the possibility of requiring event organisers and vendors to avoid Single Use Plastics as a condition of their event permission
- strengthening the existing Sustainable Event Commitment Form and guidance circulated to exhibitors and traders;

(b) A requirement for more detailed information on:

- how events comply with equality legislation, such as the impact on disabled access to surrounding public rights of way;
- how events comply with agreed corporate sustainable transport commitments;

(c) The development of a new charging schedule to provide consistency and transparency, which explores options for:

- charges based on commercial event income;
- charges based on attendance figures;
- more clarity on the categorisation of events e.g. the criteria for being assessed as commercial, charity or community event;
- the introduction of a standalone Environmental Impact Charge, with ring-fencing being used to: provide physical mitigation to open spaces directly affected by events;
- a proportion of event fee being used to support immediate priorities for funding identified by the Open Spaces strategy and community & parks associations (e.g. 'Friends Of' Parks and Open spaces associations);
- Additional fees levied to support animal welfare provision and inspections where animals are part of events.

2.5 That the committee authorises the Executive Director Economy, Environment & Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

EVENTS IN PARKS AND OPEN SPACES 2018

GREEN GROUP AMENDMENT

To amend the recommendation 2.3 and insert new recommendations 2.4 and 2.5 as shown below in ***bold italics***;

2.3 That the committee authorises officers to enter into formal agreements with event organisers ***on the current event schedule*** to determine conditions, fees and levels of support as appropriate ***in accordance with the terms of the council's existing Outdoor Events Policy***

2.4 ***That the committee requests officers to report back on formal agreements on a bi-annual basis, including:***

--compliance with the outdoor events policy and other BHCC corporate commitments as they affect:

-- communities such as licensing and environmental health;

--quality and nature of any feedback received from the public

-- details on fees and charges levied in each circumstance and the rationale for them (in Part 2 papers if necessary for reasons of commercial sensitivity);

2.5 ***That a report be brought to a future committee outlining options for a review and update of the Council's Outdoor Events Policy, to include:***

(a) More robust sustainability criteria:

- investigating the possibility of requiring event organisers and vendors to avoid Single Use Plastics as a condition of their event permission

- strengthening the existing Sustainable Event Commitment Form and guidance circulated to exhibitors and traders;

(b) A requirement for more detailed information on:

- how events comply with equality legislation, such as the impact on disabled access to surrounding public rights of way;

- how events comply with agreed corporate sustainable transport commitments.

(c) The development of a new charging schedule to provide consistency and transparency, which explores options for:

- **charges based on commercial event income;**
- **charges based on attendance figures**
- **more clarity on the categorisation of events e.g. the criteria for being assessed as commercial, charity or community event;**
- **the introduction of a standalone Environmental Impact Charge, with ringfencing being used to: provide physical mitigation to open spaces directly affected by events**
- **a proportion of event fee being used to support immediate priorities for funding identified by the Open Spaces strategy and community & parks associations (e.g. 'Friends Of' Parks and Open spaces associations)**
- **Additional fees levied to support animal welfare provision and inspections where animals are part of events**

2.6 That the committee authorises the Executive Director Economy, Environment & Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

Proposed by Cllr Druitt

Seconded by Cllr Mac Cafferty

Recommendations if carried to read:

- 2.1 That the committee grants landlord's consent for the events listed in Appendix 1;
- 2.2 That the committee authorises the Head of Sport & Leisure to seek applications to stage "The Big Screen" and to determine the event organiser to whom consent should be granted;
- 2.3 That the committee authorises officers to enter into formal agreements with event organisers on the current event schedule to determine conditions, fees in accordance with the terms of the council's existing Outdoor Events Policy;
- 2.4 That the committee requests officers to report back on formal agreements on a bi-annual basis, including:
 - compliance with the outdoor events policy and other BHCC corporate commitments as they affect:

- communities such as licensing and environmental health;
- quality and nature of any feedback received from the public
- details on fees and charges levied in each circumstance and the rationale for them (in Part 2 papers if necessary for reasons of commercial sensitivity);

2.5 That a report be brought to a future committee outlining options for a review and update of the Council's Outdoor Events Policy, to include:

(a) More robust sustainability criteria:

- investigating the possibility of requiring event organisers and vendors to avoid Single Use Plastics as a condition of their event permission
- strengthening the existing Sustainable Event Commitment Form and guidance circulated to exhibitors and traders;

(b) A requirement for more detailed information on:

- how events comply with equality legislation, such as the impact on disabled access to surrounding public rights of way;
- how events comply with agreed corporate sustainable transport commitments.

(c) The development of a new charging schedule to provide consistency and transparency, which explores options for:

- charges based on commercial event income;
- charges based on attendance figures
- more clarity on the categorisation of events e.g. the criteria for being assessed as commercial, charity or community event;
- the introduction of a standalone Environmental Impact Charge, with ring-fencing being used to: provide physical mitigation to open spaces directly affected by events
- a proportion of event fee being used to support immediate priorities for funding identified by the Open Spaces strategy and community & parks associations (e.g. 'Friends Of' Parks and Open spaces associations)
- Additional fees levied to support animal welfare provision and inspections where animals are part of events;

2.6 That the committee authorises the Executive Director Economy, Environment & Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

EVENTS IN PARKS AND OPEN SPACES 2018

CONSERVATIVE GROUP AMENDMENT

To amend the recommendation 2.2 as shown below in ***bold italics***;

- 2.2 That the committee authorises the Head of Sport & Leisure to seek applications to stage “The Big Screen” and ***to then consult with the Chair and a nominated Member from each of the Opposition Groups in order*** to determine the event organiser to whom consent should be granted;

Proposed by Cllr Nemeth

Seconded by Cllr Mears

Recommendations if carried to read:

- 2.1 That the committee grants landlord’s consent for the events listed in Appendix 1;
- 2.2 That the committee authorises the Head of Sport & Leisure to seek applications to stage “The Big Screen” and to then consult with the Chair and a nominated Member from each of the Opposition Groups in order to determine the event organiser to whom consent should be granted;
- 2.3 That the committee authorises officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate; and
- 2.4 That the committee authorises the Executive Director Economy, Environment & Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

Appendix 1: Building Control advice fees and charges (AMENDED)

Detailed below are the proposed 2018/19 fees and charges for the building control service

Amended page 77

Service	2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase	
Regularisation Charge	£143.00	£143.00	£148.01	£148.01	3.5%	
Fee for any one of the following: a) renovation of thermal element; b) replacement of 11 or more windows, rooflights or external doors; c) energy saving system/appliance i.e. replacement boiler or solar panels (not covered by a competent persons scheme); d) removal of loadbearing wall to form a through room with an opening up to 3m in length e) removal of chimney breast	Building Notice Charge	£163.00	£135.83	£168.71	£140.59	3.5%
	Regularisation Charge	£168.00	£168.00	£173.88	£173.88	3.5%
Fee for any one of the following: a) renovation of thermal element; b) replacement of 11 or more windows, rooflights or external doors; c) energy saving system/appliance i.e. replacement boiler or solar panels (not covered by a competent persons scheme); d) removal of loadbearing wall to form a through room with an opening up to 3m in length e) removal of chimney breast	Building Notice Charge	£219.00	£182.50	£226.67	£188.89	3.5%
	Regularisation Charge	£224.00	£224.00	£231.84	£231.84	3.5%

Appendix 1: Building Control advice fees and charges (AMENDED)

Service	2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
<u>Fee for any one of the following:</u> <u>a) re-roofing</u> <u>b) replacement bay windows up to 3 storeys;</u> <u>a)c) electrical rewire</u>					