

Place Overview & Scrutiny

Date: **21 January 2025**

Time: **4.00pm**

Venue: **Hove Town Hall - Council Chamber**

Members: **Councillors:** Evans (Chair), Cattell (Deputy Chair), Fishleigh, Fowler, Hewitt, Lyons, Sheard, Sykes, Thomson and Winder. Co-optees: Mark Strong (CVS), Mary Davies (OPC).

Contact: **Anthony Soyinka**
Head of Democratic Services

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Chief Executive
Hove Town Hall
Norton Road
Hove BN3 3BQ

Date of Publication - Date Not Specified

AGENDA

Part One

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26 PROCEDURAL BUSINESS

- (a) **Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.
- (b) **Declarations of Interest:**
 - (a) Disclosable pecuniary interests;
 - (b) Any other interests required to be registered under the local code;
 - (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare:

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

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

- (c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: *Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.

27 MINUTES

7 - 28

27.1(a) To consider the minutes of the previous Place Overview & Scrutiny Committee meeting held on 1st October 2024

27.1(b) To consider the minutes of the Special Place Overview and Scrutiny Committee meeting held on 13th November 2024 – Part 1

27.1(c) To consider the minutes of the Special Budget meeting Place
Overview
and Scrutiny Committee meeting held on 28th November

28 CHAIR'S COMMUNICATIONS

29 PUBLIC INVOLVEMENT

To consider the following items raised by members of the public:

- (a) **Petitions:** To receive any petitions presented by members of the public to the full Council or to the meeting itself;
- (b) **Written Questions:** To receive any questions submitted by the due date of 12noon on the 15th January 2025
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 15th January 2025.

30 MEMBER INVOLVEMENT

To consider the following matters raised by Members:

- (a) **Petitions:** To receive any petitions submitted to the full Council or to the meeting itself.
- (b) **Written Questions:** A list of written questions submitted by Members has been included in the agenda papers (copy attached).
- (c) **Letters:** To consider any letters submitted by Members.
- (d) **Notices of Motion:** To consider any Notices of Motion.

31 HOUSING SAFETY & QUALITY COMPLIANCE UPDATE

Report to follow.

Contact Officer: *Martin Reid*
Ward Affected: *All Wards*

Tel: 01273 293321

PART TWO

32 PART TWO MINUTES OF THE PREVIOUS MEETING

Part Two minutes to follow

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

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

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

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Further information

For further details and general enquiries about this meeting contact Anthony Soyinka, (email) or email democratic.services@brighton-hove.gov.uk

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BRIGHTON & HOVE CITY COUNCIL

PLACE OVERVIEW & SCRUTINY

4.00pm 1 OCTOBER 2024

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Evans (Chair) Fishleigh, Hewitt, Lyons, Pickett, Sheard, Thomson, Winder and Grimshaw

Other Members present: Mary Davies (OPC), Mark Strong (CVS)

PART ONE

13 PROCEDURAL BUSINESS

1 Procedural Business

1 a Declarations of substitutions

1.1 Apologies received from Cllrs Fowler and Cattell and from the Youth Council. Cllr Grimshaw was acting as a substitute for Cllr Cattell

1b Declarations of interest:

1.2 There were none.

1c Exclusion of the press and public

1.3 RESOLVED – that the press & public be not excluded from the meeting.

14 MINUTES

2.1 There were two sets of minutes for approval:

- Place Overview & Scrutiny Meeting 23rd July 2024: minutes were approved by members
- Place Overview & Scrutiny Call-in Meeting 12th August 2024: minutes were approved by members

15 CHAIR'S COMMUNICATIONS

3.1 The Chair gave the following communication:

We've got 3 items to consider today.

We're being asked to formally agree to establish a task & finish group to look at short term lets. There is a scoping report providing more information about the issue and suggesting some areas of enquiry. There's also some draft Terms of Reference. I don't want to spend too much time on this issue today, as the task & finish group will be looking at this issue in-depth.

However, if members have any ideas about aspects of short term lets they think the group should look at, or people they should talk to, this is an opportunity to say.

We're also looking at problems associated with wood burners and what the council can do to tackle this issue. I think this is a real opportunity for scrutiny members to make suggestions to Cabinet ahead of winter, and if possible, I'd like committee members to agree some formal recommendations.

Finally, we have a paper outlining the process for the refresh of City Plan. I do think this is something the committee should be involved in, but we're right at the start of the refresh process and I think the big question for us is when would be the best point to get involved.

16 PUBLIC INVOLVEMENT

4.1 There were no public questions.

17 MEMBER INVOLVEMENT

5.1 There were no member questions.

18 SOLID FUEL BURNING

18.1 The Chair opened the first item of business, a paper on the risks of solid fuel burning, and the actions being taken to mitigate these risks ahead of the winter heating season. The paper was presented by Jim Whitelegg, Interim Head of Safer Communities. Andrew Renaut, Transport Planning Technical Lead; and Samuel Rouse, Senior Technical Officer, were also on hand to answer questions.

18.2 Jim Whitelegg reported that there has been a resurgence in the use of burning wood logs and that this is causing a health risk from air born pollution from particulate matter; and environmental concerns such as using green or treated logs and issues with Elm disease and bringing this into the city. There are 2 teams dealing with environmental legislation: Trading Standards deal with the sale of fuel and Environmental Health investigate complaints of smoke. Brighton & Hove City Council have had 500 smoke complaints over 5 years of which 12 were regarding chimney smoke. The vast majority are in relation to bonfires. 500 smoke complaints over 5 years is relatively low in comparison to the 3000 complaints per year received by Environmental Health.

18.3 Jim Whitelegg summarised the recommendations around a public awareness campaign, increased monitoring of air quality to achieve better data collection and an enforcement pilot.

18.4 The Chair opened up the floor to questions. Cllr Rowkins, Cabinet Lead for Net Zero & Environmental Services, joined the meeting and took questions from members.

18.5 Cllr Thomson asked for more information on the 3 pronged approach in terms of enforcement. Jim Whitelegg explained that the approach would start with the awareness campaign and they will be looking at links that DEFRA have provided as well as looking

at other Local Authorities such as Bristol for best practice. The general public will be encouraged to contact the Council if they have issues regarding solid fuel burners.

- 18.6 Mark Strong asked if officers could confirm that even DEFRA approved logs still produce a high level of toxic emissions within the home and people think that since the burner isn't emitting smoke, it is therefore safe but there are still health implications. Samuel Rouse, Senior Technical Officer, confirmed that these items are certified for lower emissions and agreed that there is some health risk involved. Following a question from Cllr Evans, Samuel Rouse explained that gas boilers also produce some toxins, specifically gas nitrogen dioxide, and that boilers tend to be used for more hours than fuel burners.
- 18.7 Cllr Rowkins stated that there is a clear impact on public health; there are 5 smoke control areas marked on the map but they are not enforced. These control zones need to be meaningful, and more information is needed to understand the impact on air quality in these areas. The public awareness campaign would be city wide, advising that it's best not to use burners at all in these areas. There will be consideration of expanding the control zones and introducing enforcement but there are resourcing issues. Cllr Rowkins acknowledged that an enforcement system should not be reliant on the public submitting complaints. The approach would be focussed on educating the public rather than immediately setting fines and would encourage a shift in behaviour. The improved air quality monitoring capability will provide a better picture of pollution away from roads and how much is generated from fuel burning. This data will be analysed to get a more accurate understanding of the role of fuel burners in the city.
- 18.8 Cllr Fishleigh asked whether there would be an enforcement taskforce going around the smoke control areas in the evenings. Cllr Rowkins responded that there are limited resources for enforcement currently available. There is some DEFRA funding available. Cllr Fishleigh commented on a new development in Rottingdean that applied to install wood burners and was refused. Cllr Fishleigh wanted to know if banning burners in new builds would be included in the next draft of the City Plan. There is a current plan in Saltdean that includes this.
- 18.9 Cllr Lyons suggested that rogue signs appearing on roundabouts advertising wood logs should be removed immediately.
- 18.10 Cllr Sheard referred to paragraph 3.8 in the report and suggested removing the word "unnecessarily" as those who are burning wood may believe it is a cheaper option for them and deem it necessary. Cllr Rowkins explained that it isn't generally cheaper to burn wood than use central heating.
- 18.11 Cllr Evans suggested adding "fire safety" to the recommendations and to change the emphasis on the communications campaign to focus on the invisible danger to health. Mark Strong agreed that health is the biggest driver to people's culture change and that some groups in the community are doing good work on this. Hackney Council is also a good example to look at. Cllr Pickett agreed that health issue is the way to message this and that people think burners are safe and they are wrong. Cllr Pickett raised the issue of reaching out to older people and using different messaging considering the loss of their winter fuel allowance.

- 18.12 Cllr Picket welcomed the plan to include information about diseased elm logs and their effect on the city.
- 18.13 Cllr Sheard stated that we can't talk about smoke control zones without talking about enforcement. Jim Whitelegg explained that officers will investigate if complaints are received and may issue a penalty notice if they are in the zone. The approach is to educate first and then enforce. It would not be a good use of resources to have patrol teams. A discussion needs to be had about the pilot enforcement scheme.
- 18.14 Cllr Winder asked about the data being collected and how it will show that a reduction in the use of fuel burners will lead to cleaner air. Samuel Rouse explained that the increased monitoring will demonstrate this. The monitors produce graphs on a dashboard with clear peaks and troughs over periods of time. There are 20 new monitors being introduced away from main roads and in neighbourhoods. These monitors will have a live feed that the public can access. There will be an interactive map supported by numerical information including the impact on public health. This will be launched in October.
- 18.15 Cllr Grimshaw asked about the 12 complaints regarding wood burners mentioned in the report and whether they were investigated. There is also a concern that due to the increase in energy bills, some people may go into the local woods to gather their own logs to burn and that they may need some form of support once enforcement comes in as this might be habitual. Jim Whitelegg explained that people will be signposted to relevant agencies for support with their bills and that he will look in to what happened with the 12 complaints.
- 18.16 Cllr Evans asked about the timescale for the enforcement pilot within the existing areas. Jim Whitelegg explained that the first stage will be the public awareness campaign, that there is some enforcement work going on already into the supply of logs and they are looking at the end of the year to start the pilot. The stage after that would be looking at behaviour change.
- 18.17 Cllr Pickett asked about timescales for the decision to expand smoke control zones. Cllr Rowkins explained that this would be informed by future work as anything that is decided needs to be impactful. The challenge is how to educate the public and do enforcement with the current resources, but the improved monitoring data will potentially add weight to the argument for additional resource. Cllr Evans suggested getting some information into schools as a way of encouraging adult behaviour change. Samuel Rouse reported on some of the work that SUSTRANs are doing in schools such as educational events like Clean Air Day.
- 18.18 Cllr Evans proposed an amendment to the report recommendations to read:
- 2.1 Place Overview & Scrutiny Committee notes the contents of the report.
- 2.2 Place Overview & Scrutiny Committee welcomes the planned actions around raising awareness of the risks associated with solid fuel burning and investigating instances of wood-burning in building fireplaces and stoves, as outlined in paragraph 3.8 of the report

Specifically the committee recommends:

2.3 • Targeted messages and communications to raise awareness of the health and fire safety impacts of burning solid fuels by developing a communications and messaging strategy that draws on good practice and material from other agencies, local authorities and voluntary groups, with a focus on pointing out the invisible health and fire safety risks

2.4 • An enforcement pilot within the existing Smoke Control Areas starting with the above mentioned communications towards the end of 2024 and continuing into next year

2.5 • Assessing the outputs from new sources of data, including new monitoring networks, with a specific focus on particulates from solid fuels, to help inform future actions.

18.19 Cllr Grimshaw seconded the amendment.

18.20 It was discussed and decided that the work on solid fuel burning would be brought back to Place Overview & Scrutiny Committee at its meeting in June/July 2025.

RESOLVED – that

2.1 Place Overview & Scrutiny Committee notes the contents of the report.

2.2 Place Overview & Scrutiny Committee welcomes the planned actions around raising awareness of the risks associated with solid fuel burning and investigating instances of wood-burning in building fireplaces and stoves, as outlined in paragraph 3.8 of the report

Specifically the committee recommends:

2.3 Targeted messages and communications to raise awareness of the health and fire safety impacts of burning solid fuels by developing a communications and messaging strategy that draws on good practice and material from other agencies, local authorities and voluntary groups, with a focus on pointing out the invisible health and fire safety risks

2.4 An enforcement pilot within the existing Smoke Control Areas starting with the above mentioned communications towards the end of 2024 and continuing into next year

2.5 Assessing the outputs from new sources of data, including new monitoring networks, with a specific focus on particulates from solid fuels, to help inform future actions.

19 SHORT TERM LETS TASK & FINISH GROUP SCOPING REPORT

19.1 Giles Rossington, Policy, Partnerships and Scrutiny Manager, presented the scoping report for the Short Term Lets Task & Finish Group. The report detailed work and evidence gathering for the group. The report suggests some areas to focus on for this topic, but the committee are welcome to suggest any others. The proposed terms of reference for the group is in the appendix.

- 19.2 Cllr Lyons commented that he had a resident message him that day about a Short Term Let property in a road in Hove that advertises free parking. This has caused a nightmare for the residents on that road as there is a flood of cars there and not enough spaces for everyone to park. Cllr Lyons also asked whether adverts could be monitored. Giles Rossington confirmed that this had been identified as an issue, and that the group might want to look at what is being advertised.
- 19.3 Cllr Hewitt asked a question about the Independent member suggested in the Terms of reference. Cllr Evans explained that the proposal is to offer a place to an Independent Councillor on the Task & Finish Group but that it doesn't have to be the Independent Councillor who is a member of the Place Committee. The approach will be to speak to the whips about who wants to be on the group.
- 19.4 Cllr Grimshaw referred to paragraph 3.2 and asked where the estimated figure came from and whether it includes students. Giles Rossington clarified that the data came from the Air BnB website but that not all properties are registered so the information is limited. The definition being used for the Task & Finish Group will not include those renting rooms to students over the summer because the property would still count as that person's main residence. Cllr Grimshaw asked where the information would come from. Cllr Evans replied that this is an issue to look in to and would likely include searching those properties being advertised through Air BnB and Booking.com. Giles Rossington added that the group would talk to colleagues in Planning for further information and will compare the data with other Local Authorities.
- 19.5 Mark Strong asked about the membership, mentioning members of People Committee being included. Cllr Evans explained that this matter will be going through Place Committee although there are some aspects that fall into the remit of People Committee, such as the impact on community cohesion and homelessness. Cllr Jackie O'Quinn, who is Chair of the People Committee, is interested and would like to be on the Task & Finish Group. As the representative from the Voluntary Sector is not a voting member, they can have more than one attendee if they wish. It is an informal group. Mark Strong replied that voluntary organisations are in the witness list, and he will use his networks to call for witnesses.
- 19.6 Cllr Fishleigh commented that we are waiting for government legislation on this and asked whether we have reached out to the local MPs to ask about timescales. If this is not a priority for them, then there isn't much that can be done if the legislation is not there to support the work. Cllr Evans explained that there are some things that can be done such as Air BnB being open to having a voluntary register. There are lots of houses in the city that are Short Term Lets but only have one person paying Council Tax like a normal dwelling. This potentially means they are not paying business rates or ensuring the property has adequate safety standards. When canvassing in the Kemptown area, Cllr Evans came across many flats where she was told "no one lives here, it's a full time bnb". Cllr Evans suggested getting MPs or possibly the Deputy Prime Minister on the witness list to comment on the timescales.
- 19.7 In response to a question from Cllr Pickett, Cllr Evans explained that the purpose of this meeting was not to delve into the issues with Short Term Lets but to agree to establish the Task & Finish Group and the Terms of reference. The whips will decide who will be on the group.

RESOLVED that:

2.1 Place Overview & Scrutiny Committee agrees to establish a Task & Finish Group to scrutinise the issue of Short Term Lets.

2.2 Place Overview & Scrutiny Committee agrees Terms of Reference, membership and duration of the Task & Finish Group as set out in Appendix 2.

20 CITY PLAN UPDATE FOR PLACE OVERVIEW AND SCRUTINY COMMITTEE

20.1 Nicola Hurley, Head of Planning, presented the update on City Plan. The paper provides background information on Part 1, which was adopted in 2016, and Part 2, adopted in 2022. Part 1 is now out of date, and this is the section that will be updated. There is a list of who will be consulted in paragraph 3.11. The consultation will frame what the policies will be later on with further consultation to follow. Appendix 1 lays out these plans.

20.2 Cllr Fishleigh asked about the new housing targets from the government being released. Nicola Hurley replied that they will be published at the end of the year and that the number is higher than it was previously. The team will need to demonstrate whether the Council can meet the target.

20.3 Mark Strong asked a question around engagement with the voluntary sector since in the past there has not been much response to formal consultations. He also raised engaging with young people as they will be the ones mostly affected by the updated plan. Nicola Hurley replied that there is a series of questions asking for peoples' priorities for the city. They will be reaching out to young people via the Brighton & Hove Youth Council and asking them for advice on the best ways to engage with young people for this consultation. There is a working group that is reaching out to schools and 6th form colleges. They will also utilise social media and use a variety of different mechanisms.

20.4 Cllr Lyons asked about numbers in terms of the type of units being built as typically it is usually lots of flats when people want more houses. Nicola Hurley replied that there are no policies at the moment. They will look at the ratios of 1 bed flats, 2 bed flats, 3 bed flats etc but need to be led by the demand which will become apparent during the consultation process. Cllr Lyons commented that people don't want flats but there is a gap between the pressures on Planning and what people want. Cllr Evans used the example of Short Term Lets and that these flats being built won't necessarily be used for the purpose they were intended.

20.5 Cllr Sheard commented that people are worried about having somewhere to live in the first place and are very concerned about cost. A 1 bed flat in Brighton is the same price as a 4 bed house in Yorkshire. People are very busy working to make ends meet and won't necessarily have time to go to consultation meetings or do long surveys online. Nicola Hurley replied that there will be a range of approaches to reach as many people as possible. They will seek advice from relevant groups on this. There will be leaflets, events in community centres and libraries where officers will talk to people. Residents

can also use the Your Voice portal which will be topic based so they don't have to respond to the whole survey, only what they are interested in, and so on.

- 20.6 Cllr Grimshaw asked a question about whether the consultation will only be on the new plan or whether it will also include the existing plan such as the content of Part 2. Nicola Hurley replied that this is early engagement with questions around affordable housing, sites that can be developed and so on, looking at the city overall. Part 1 was based on evidence dated from 2010 which is now out of date. Part 2 is more focussed on policies used to assess planning applications. However, the framework is being changed by the Government which will impact some of Part 2 that will need to be looked at. They will develop a whole new document of policies and guidance based on the results of the consultation to identify from the city what is most important. They will look to adopt the plan in 2027 to replace the existing Part 1.
- 20.7 Mark Strong asked whether they would be using the carbon assessment framework for transport strategies. Nicola Hurley replied that it is too early to say.
- 20.8 Cllr Winder asked why the plan was to 2041 and how flexible the process is in light of things changing, such as a large influx of students preventing families moving in. Nicola Hurley explained that the process is prescribed by the government and is rigid. Part 2 of the City Plan looked at new things like Build to Rent. Planning documents are required to be reviewed every 5 years. Eventually, they would like to merge both parts of the City Plan so there is one document. The Government wants to make it easier to review plans.
- 20.9 Cllr Thomson commented that there is a gap between what people want but that there is a price, for example, wanting cheaper electricity but not wanting pylons in the area. It is important to bring people on board. Nicola Hurley agreed that this is the challenge of the process and that we ultimately have to comply with the government. If the housing target is over 2000 new homes, we will need to find places for them. In response to a question about consultation from Cllr Thomson, Nicola Hurley explained that there will be subsequent consultations that will happen, and it will be a to and fro before the final submission.
- 20.10 Cllr Lyons asked if there would be consultation on all types of transport, not just cycling and roads but looking at things like trams and monorails etc. Nicola Hurley replied that people can put their thoughts in the transport section in the survey.
- 20.11 Cllr Pickett asked about staffing resources and whether the Plan will be signed off by the Secretary of State. Nicola Hurley explained that there is a dedicated planning team for this work and that the Secretary of State delegates authority to the Planning Inspector who can make changes to the plan or say it's not sound.
- 20.12 Mary Davies asked a question about overcoming difficulties reaching older people especially online, and whether paper versions will be available. Nicola Hurley replied that there will be information in libraries, and they will ask the Comms Team for advice. The plan will also be adapted to meet the needs of the older population, including looking at adapting homes, wheelchair accessibility etc which will be included in the policy writing.

20.13 Cllr Winder asked a question about how the topic areas were decided and that people need to understand issues such as sustainability and biodiversity. Nicola Hurley explained that the topic areas align with the Corporate Plan and some areas are set by the government. The plan will ultimately go to Cabinet and come back to Overview & Scrutiny to check on developments. The final adoption of the Plan will be by full Council.

20.14 Cllr Evans asked about the timeline. Nicola Hurley replied that they are looking to start from November until January. In response to a question from Cllr Evans, Nicola Hurley said that all materials have already been designed for this. Cllr Evans would like to keep the plan under review and asked when the second stage will start. Nicola Hurley replied that it will be Autumn 2025 for the second consultation and the plan will be brought back to Overview & Scrutiny in late Spring 2025.

20.15 The paper is to note the work that has been done to date and to agree to keep the City Plan review on the work programme for future opportunities to scrutinise the work as it progresses.

RESOLVED – that the report be noted.

Meeting closed at 6pm.

The meeting concluded at Time Not Specified

Signed

Chair

Dated this

day of

Place Overview and scrutiny Committee
17:00 13th November 2024
Council Chamber, Hove Town Hall

Present: Cllrs Evans (Chair), Cattell (Deputy chair), Fowler, Sheard, Sykes, Thomson, Winder. Mark Strong (CVS), Michale Creedy (OPC)

17a) Substitutions: Cllr Baghoth for Cllr Hewitt, Cllr Meadows for Cllr Lyons, Cllr Earthy for Cllr Fishleigh, Michael Creedy for Mary Davies (Older Peoples' Council)

17b) Declarations of interests: Mark Strong: Contacted by one of the residents groups in a professional capacity asking for planning advice but did not respond.

17c) Exclusion of the press and public:

Chair: Amongst the papers circulated to elected members were confidential (Part 2) papers from the Cabinet Meeting. Any discussion of these papers will need to be in confidential session and will need to exclude the press & public from these discussions. I am keen that we conduct as much of this meeting as possible in public session. When we come to questioning Cabinet members and officers, I would therefore request that members reserve any questions about confidential papers until there are no more questions that can be taken in public session. We will move into a Part 2 confidential session towards the end of the meeting. All elected members are reminded not to raise matters contained in the Part 2 documentation during the public meeting.

18) Chairs Communications. The Chair gave the following communication:

I'd like to thank everyone for coming to this special meeting of Place Overview & Scrutiny Committee.

This meeting has been called to give Overview & Scrutiny members the opportunity to consider and comment on plans for the disposal of Patcham Court Farm. This report considers options for the future use of Patcham Court Farm and proposes the sale of a long leasehold interest in the site to Royal Mail for the development of a new Delivery Office. The report that we're considering today, and which was published online last week, is due to be agreed by Cabinet tomorrow afternoon.

Minutes and any agreed recommendations of this Overview & Scrutiny meeting will be shared with Cabinet Members ahead of their meeting, so any comments or recommendations that Overview & Scrutiny members make today will go to inform the Cabinet decision.

19) PATCHAM COURT FARM

19.1 Cllr Jacob Taylor (Deputy Leader of the Council and Cabinet Member for Finance and City Regeneration) presented the report to the committee. Max Woodford (Assistant Director, City Development & Regeneration), Jessica Hamilton (Estates Manager), and Sam Smith (Head of Regeneration) were also in attendance.

- 19.2 Michael Creedy (OPC) asked a question on the collection of parcels. Cllr Taylor responded that Royal Mail have confirmed that a city centre site will be identified for parcel collection. The Patcham site will not be used for this purpose.
- 19.3 Cllr Sykes asked questions about the protection of the site in the lease and its long length, the protection of the environment and the aquifer, and transport. Cllr Taylor said that the details of protection would be dealt with in the terms of lease. Regarding the lease, Cllr Taylor note that companies buying a leasehold and investing their capital want protection. Jessica Hamilton added that there are controls in the lease, so that if the leaseholder wants to make significant change in the future, these will need to be negotiated with the council.
- 19.4 Cllr Meadows raised the issues of the length of the lease; the protection of the aquifer; the protective membrane only lasting for 50 years; the site being considered too small for park and ride; the retention of Royal Mail jobs on the site; housing not being a realistic option because of the site's designation the Local Plan; and the potential use of the Hove Royal Mail site for social housing, she did not believe the viability of either site for social housing, the 'first refusal' for the Hove site not meaning that the council will get it, and what protections there are to stop Royal Mail selling or sub-letting the land in the future. Cllr Taylor responded that planning restrictions were in place to protect the site; and that Southern Water did not object to the application in terms of its impact on the aquifer. On job losses he told members that neither of Royal Mail's current sites are suited to their needs and that there is a strong likelihood that they will move their distribution centre out of the city if they cannot move to Patcham. Contrary to Cllr Meadow's assertion, the Hove Royal Mail site is viable in terms of social housing. The council does not have to sign this agreement until they were happy with the Hove site deal. On the lease length, Cllr Taylor told members that a long lease needs to be considered as an alternative to sale of the freehold. A long lease gives Royal Mail the security they require, but allows the council more control of the site than an outright sale. Max Woodford added that water protection was considered by the planning committee. The site is contaminated now and these contaminants are going into the water; the proposed use of the site will improve this.
- 19.5 The Chair asked if there was an answer to the 50-year life span of the membrane. Max Woodford replied that it would need to be looked at by the leaseholder in the course of time.
- 19.6 Mark Strong asked a question about the length of the lease, the park & ride option, and what could happen to the site in the future. Cllr Taylor responded that the length of the lease was not unusual for major developments, and that it provides security for the leaseholder as well as a degree of control for the freeholder. Cllr Cattell noted that some of the protections given in the planning consent include tight restrictions on the future use of the site. Cllr Muten (Cabinet Member for Transport, Parking & Public Realm) clarified that a report on Park & Ride options will be presented to Cabinet in January 2025.
- 19.7 Cllr Sheard stated that, although he is eager to see all opportunities taken to develop housing in the city, it is evident that the Patcham Court Farm site cannot be used for this purpose. Given the benefits of leasing to Royal Mail, not least the positive

environmental impacts of them moving to fully electric fleet, this is too good an opportunity to turn down.

- 19.8 Cllr Winder asked a question about protections in the lease to stop parts of the site being used for non-essential car-parking. Cllr Evans also sought assurance around the timeframes for development of the site and for the transfer of the Hove site. Cllr Taylor responded that it was a complex issue, but that there are already robust protections in terms of planning conditions and that other issues would be addressed in the negotiation of the lease.
- 19.9 Cllr Fowler said that she was disappointed that housing was not an option, and that she was pleased that Southern Water did not object. She wanted to know why housing was not a suitable option and if this would have affected the aquifer. Cllr Taylor said that housing was considered, but was not a viable option given the high costs associated with decontamination and building on the site.
- 19.10 Michael Creedy asked a question about bus services to reduce traffic into the site from workers as the nearest bus was a ten minute walk away. Max Woodford responded that an additional bus service to the site, running in the morning, will be piloted for one year, using Section 106 funding. Whether this continues in the longer term will depend on use of the service.

The Committee went into Part 2 confidential session.

The Committee resumed Part 1 session

- 19.11 Cllr Meadows stated that she was still concerned about sub-letting. Cllr Taylor said that in theory Royal Mail could sub-let to another part of their company, but the site would have to remain a distribution centre unless planning change was agreed.
- 19.2 RESOLVED** – that the Place Overview & Scrutiny Committee notes the Cabinet report on the disposal of Patcham Court Farm.

BRIGHTON & HOVE CITY COUNCIL

PLACE OVERVIEW & SCRUTINY

4.00pm 28 NOVEMBER 2024

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillors Evans (Chair), Cattel (Deputy Chair), Fishleigh, Fowler, Hewitt, Sheard, Sykes, Thomson, Winder, Mark Strong (CVS), Mary Davies (OPC).

PART ONE

21 PROCEDURAL BUSINESS

1 Procedural Business

1 a Declarations of substitutions

1.1 Cllr McNair for Cllr Lyons, Michael Creedy for Mary Davies (Older Peoples' Council), Jessica Sumner for Joanna Martindale (CVS).

1b Declarations of interest:

1.2 There were none.

1c Exclusion of the press and public

1.3 There are no Part Two items today, so the press and public won't be excluded.

22 CHAIR'S COMMUNICATIONS

3.1 The Chair gave the following communication:

Today we are here as a joint meeting of both the Place and People Overview & Scrutiny Committees as part of the budget scrutiny process. We are joined by Cllr Jacob Taylor, Deputy Leader of the Council and cabinet member for Finance & City Regeneration, and Nigel Manvell, the council's Chief Financial Officer, who will be talking to us about the budget and then taking questions from members.

They will explain more shortly but at the moment we are still awaiting more details from the government to inform the budget setting process, so the report is high level budget thinking, the legal and financial background to the budget. The minutes of the meeting and any specific comments made will be shared with the Cabinet.

Our separate scheduled committee meetings for January will include an agenda item where we will have more details of the budget relating to the remit of each committee.

Although we only have one item on the agenda, there are a lot of us here this afternoon and so we will have a lot of questions to get through. Can I therefore please request that both those asking and answering questions are as brief and to the point as possible. We want everyone who wishes to contribute to have the opportunity.

23 PUBLIC INVOLVEMENT

4.1 There were no public questions.

24 MEMBER INVOLVEMENT

5.1 There were no member questions.

25 GENERAL FUND BUDGET UPDATE 2025-26 TO 2028-29

25.1 Cllr Bella Sankey (Leader of the Council) introduced the paper and summarised the current financial situation of Brighton & Hove City Council. She wished that circumstances were better and attributed this to systemic underfunding over many years and a large demand on key services, mainly Adult Social Care and Homelessness. The announcement made in the Autumn budget amounts to a 3.2% increase in funding for local government but there is no overnight fix for the significant challenges facing the sector. Cllr Sankey has received a letter from the Local Government Minister, Jim McMahon, who has written to all leaders of councils about plans for radical reform of local council funding. This includes a £600m recovery grant for areas with the greatest need and deprivation. It also includes a new approach to financial settlements across multi years rather than one. There will be a consultation on the reforms that will give more power and responsibility to local councils. The reports pack shows work underway to tackle the in year funding gap of £6.8m and the predicted shortfall of £31.6m for the next financial year. The council will receive further details of the funding settlement from central government next month and the council will move to engage with stakeholders on this with the scrutiny committees looking at the details in the new year.

25.2 Cllr Jacob Taylor (Deputy Leader of the Council and Cabinet Member for Finance and City Regeneration) presented the report to the committee. He added that the news that was received yesterday regarding the i360 will have an impact. There is outstanding debt of £51m which translates into £32m outstanding payments to the council. This will amount to £2.2m per year that will need to be paid back until 2040. The i360 is currently going through the administration process.

25.3 The Chair opened up the meeting for questions.

25.4 Cllr Sykes asked a number of questions: whether the increase in National Insurance contributions for employers is reflected in the budget; he asked for more information on the Section 31 grant; about any mitigations for the £2 - 4m to go towards rough sleepers; about the competition between public funds and how that works; concerns regarding consultation and the lack of detail in the budget for the public to comment on; and that it was difficult to understand the narrative between this paper and the one presented in September. Cllr Taylor acknowledged the points raised around the difficulty

following the narrative between papers and said they will look into that. Although the principle focus is on the General Fund, other budget matters are of relevance, such as changes to the Capital budget. The council is a relatively asset-rich organisation which is an area to explore in terms of the potential use of capital receipts to fund modernisation. Cllr Taylor commented on insourcing and wanting to bring back children in care who have been placed outside the city. These placements can be very expensive, particularly for those with special needs and Cllr Daniels is leading on a pilot project to look into creating a facility in-house for this in Woodingdean called Rainbow Lodge. There needs to be a balance between insourcing and outsourcing depending on who is best placed to manage these services. There may already be an established third party who can take this on. Officers are looking into whether the council can make investments to buy property for the purpose of council-run temporary accommodation. In terms of social care costs, Cllr Taylor said that the increase in National Insurance contributions does not apply to the council but will apply to the private sector of which the council procures Adult Social Care services and whether this has been added to the financial pressures in the paper. Nigel Manvell, Chief Financial Officer, confirmed that there is an estimate built in for this, including living wage costs, inflation and other factors. The government have confirmed that the Market Sustainability Grant will continue to be awarded which will help with some of these costs. Mr Manvell went on to explain about the Section 31 grant and that the government will be ending some reliefs that were available to the hospitality and retail sector and that this will now have to be collected via business rates directly to the council. Cllr Taylor responded to the question regarding the consultation process; he would have liked to publish the budget at the end of December but there will be no settlement until 19th December so this is not possible. He hopes that in future years this can be brought in earlier.

- 25.5 Cllr Fishleigh asked that employees have been asked for ideas to make savings and whether anything good has been suggested; and whether the council needs Bartholomew House at all as it's always empty when she has been there. Nigel Manvell said that they are working through the responses from the engagement exercise with employees last year and that it remains open for suggestions. They have been holding "in conversation" events with employees with around 200 people on the Teams call where the budget was discussed. Cllr Taylor explained that from his experience, employees are using Bartholomew House but that they are considering the entire estate, looking at numerous council buildings and ensuring the best use of them.
- 25.6 Cllr Fishleigh asked about the Star Chamber and whether more external people with good relevant expertise were involved; she also asked if there was any money left in the Carbon Neutral Fund when £27m was granted in 2021. Cllr Taylor explained about the public engagement event taking place on the budget with the use of a budget simulator to visually show the pressures the council is facing. He encouraged others present to recommend this event to anyone they think might be interested, particularly people with financial expertise. Nigel Manvell said he will come back on the question regarding the Carbon Neutral Fund.
- 25.7 Cllr Meadows asked a number of questions, as follows: the update on the budget has already been reported to Cabinet and what is missing is the portion of each Government fund allocated to Brighton & Hove; that information on page 11 is misleading as the figures quoted are not the amounts the council will receive; that she was interested to hear what schemes might get cut as part of the capital programmes review; that she is

concerned because every effort that has been made by this council to insource services has ended up costing double; whether exploring the use of AI will result in job cuts; where the paper talks about managing the demands of Adult Social Care and whether this would result in cutting off those who need care but are not eligible for benefits; that she would be interested to hear more about a wholly owned housing stock; to have more details on the discontinuation of non-statutory activities; what the review into the delivery model of schools' IT services has come up with; and she questioned whether the council would lose out on adult social care placements due to increasing costs. Cllr Taylor replied that in relation to insourcing there is a balance between insourcing and outsourcing and sometimes insourcing is more expensive, sometimes not. Many of these services are owned by private entities with a high level of profit being made. If services were insourced, the council would not be looking to make a profit. In terms of AI, the council is already using some applications such as a minuting app. This may in time mean that some roles can be deleted, with staff redeployed elsewhere. In terms of Adult Social Care, they want to be transparent about the process from the beginning so that families are aware that they would be expected to contribute to costs before going through the lengthy assessment process. Cllr Taylor confirmed that they would not be looking to explore a private housing company for the council's current stock.

- 25.8 Cllr Cattell asked about fitting costs related to the i360 into the budgeting process and whether there is a backstop. Cllr Taylor explained that there are ideas coming in, one from a bungee jumping company in New Zealand, but that they need to wait for the administration process to finish which would ultimately determine the outcome for the city. In terms of financial planning, there isn't much more that can be done other than lay out the facts.
- 25.9 Adam Muirhead was pleased to see Spend to Save mentioned in the paper and asked if the council is considering innovative ways to invest. Cllr Taylor said that one of the difficulties is the way that public finance works, with organisations each individually responsible for their budget. This can make it difficult for public sector organisations to take actions that will benefit other parts of the public sector. The government is talking about a "total place" approach which would entail looking at all the budgets in a geographic area which are interconnected and try to think about them as one entity. Cllr Sankey added that the new government is serious about thinking more about total place and when the bright red lines have been drawn between different public sector bodies historically doesn't always make sense as they are all interconnected. Cllr Sankey went to 10 Downing Street to represent Brighton & Hove where the Prime Minister asked about public sector reform. Cllr Sankey gave an example of how the council works with a multi-disciplinary team based at A&E making interventions to reduce the number of people presenting at emergency hospital departments due to social causes, such as not having the correct care package, housing etc. This kind of preventative measure ensures people have the assistance they need and diverts them away from emergency services, which also saves money.
- 25.10 Cllr McNair said that the situation with the i360 raises questions about the council's ability to manage money and asked what Labour has been doing to save the i360 as it is costing the taxpayer huge amounts of money. Cllr Taylor said that previous Conservative councillors were great supporters of the i360 and that it was the Labour opposition that had the desire to protect the taxpayers in this situation and did not want to pump more money into the i360. To offer support, they had met with the private

company who runs the i360 to look through their budgets and give advice, but as it is a private company, it is ultimately up to them what they do.

- 25.11 Sara Fulford was concerned about the effect the budget would have on older people, particularly as there is fragility in the market for nursing home provision. Nursing homes cost too much and she was concerned about the level of threat over inhouse provision as they are already paying very high costs. If the inhouse service is lost then they are completely vulnerable to the market. Can the council be more imaginative about getting money in? Ms Fulford commented that the paper was difficult to understand and questioned whether vulnerable people will have a meaningful opportunity to engage, including those with no IT access. Cllr Taylor said that it is complex to communicate to people and getting input from the public isn't easy. There is a new budget simulator online that should help and everything will be summarised and explained at the consultation event. In terms of insourcing, decisions need to be made depending on where the council is best equipped to itself run services. EIAs are important in making these decisions and the council needs to think about how best to involve the community and voluntary sector in the EIA process.
- 25.12 Becky Robinson said that there is a lot of focus in the paper on educational psychologists and wondered how they can ensure that, with the demand on the system, children with SEND support are not overlooked. Cllr Taylor said educational psychologists make a big difference in terms of early intervention but that the assessment pathway doesn't work quickly enough which is something the department are looking into. There is an increase in SEND funding from central government and they are keen to see how this translates locally.
- 25.13 Cllr Sheard asked about the demand and costs for physical support split by age groups in the paper and how those numbers were calculated. He also asked whether further financial resources would have to be put aside to compensate for the i360 debt and wanted more detail on how poverty will be addressed in the budget, particularly child homelessness. Cllr Taylor said that they try to map out the demand; the number of new service users and the complexity of needs and then work out the cost. In some cases these do end up balancing each other out. In relation to the i360, £2.2m per year will have to be put aside but this is subject to the administration process and any funds that can be recovered. In order to combat homelessness, they want to build more council houses that are more affordable. The council are exploring options to improve interventions and to acquire more council owned temporary accommodation.
- 25.14 Mark Strong asked a question about the implications of central government funding on transport and waste. Would there be an increase in the maintenance of pavements and whether reducing charges for parking would mean more people driving, which would mean increased costs, such as pothole maintenance. He also asked a question about food waste and the potential for the council to run this pilot scheme with the current community-led schemes, which would reduce costs. Cllr Taylor said that there is a safety element to the conditions of the road and pavements, the weeds were out of control in some areas and tree roots are causing a problem. He welcomed the funding for potholes. Cllr Taylor said that there are always more transport projects than parking revenue and they need to get the balance right between parking costs and discouraging driving in the city. The new reduced car park charges were designed to encourage

people to use the car parks rather than on street parking because they are underused. He said that Cllr Rowkins knows the community groups well and will see how best to work with them on food waste.

- 25.15 Cllr Mcleay asked about the pressures on the homeless budget and the exploration of fundraising ideas; what level of funding needs to be raised? She also asked about the renters reform bill and what will be the impact on housing allocation? Cllr Mcleay asked about whether the Household Support Fund could be used in a more preventative way and asked a question about EPR and whether it was meant for food waste rather than just disposals and collections. Cllr Taylor said that Cllr Mcleay may be right about the EPR and it is there to recognise the increased responsibilities towards the Environment Act and they are likely to get some money to go towards recycling and waste services. In terms of the Housing Support Fund, they are looking into changing the focus from pure crisis point to being more preventative. For those eligible for temporary accommodation, the council will see if they can secure accommodation in the private sector to reduce costs pressures but will allow them to keep their place on the allocation list. The Renters Reform bill might mean that some landlords will leave the sector, which might drive down house prices. Officers are currently trying to assess the impact of this bill. It is also difficult to estimate funding for homelessness.
- 25.16 Jessica Sumner said that the CVS can help with solutions and creative thinking. There is a lot of demand on the sector with high level crisis services sitting in the wider community outside the council. There is a lack of inflationary increases on grants in the sector and the organisations need subsidising. The CVS ends up bearing the cost of living wages which could lead to a loss of delivery which will have an impact on council services. Ms Sumner mentioned the EIA process and noted that promised actions are not always implemented and that decisions are sometimes taken without having the full picture. Cllr Taylor said that last year there was a reduction in the third sector investment fund but, following a consultation earlier this year, it was decided not to make any further reductions. In respect of the EIA process, Cllr Taylor said he will take this away as an action point.
- 25.17 Cllr Thompson asked what measures have been considered to reduce home to school transport costs? Cllr Taylor said that they are exploring insourcing and seeing if current services could be more effectively managed.
- 25.18 Cllr Hewitt asked a question about income generation and what other measures are being explored. The council is asset-rich and whether they can develop these to raise funds, such as making more use of council owned garages. Cllr Taylor said that many of the garages are vacant and they need to use them better. He said it might be worth selling some assets in order to reinvest elsewhere. The council had hired a fundraising officer who brought in a lot of additional funding.
- 25.19 Cllr Winder asked about the scope of savings planning, whether it included statutory services, and what steps were being taken to manage impacts on vulnerable people. Cllr Taylor said that the delivery of all services is within the scope of the budget process, although the council is obliged to provide statutory services at a certain level. EIAs will be really important during this process to help identify the communities most impacted by budget savings.

- 25.20 Fiona England asked a question about current pressures on children with learning disabilities transitioning to Adult Social Care and the need for a Social Care Officer role who can help with forecasting and developing services with a strategic overview. Could this role be a Spend to Save consideration? Cllr Taylor said he would take that away to consider.
- 25.21 Cllr Meadows asked about payments to adult social care providers and whether there was a risk that the council would lose out on care places if it was unwilling to uplift costs to reflect increases in provider expenses, such as higher employer NI; whether the new cap of £1 per bus ticket for 2 months is reflected in this budget and what the revised cost is for the members' allowance scheme. Cllr Taylor responded that the third party provider uplifts are included in the budget. He said that the bus fare referred to in the papers is not the new £1 cap but the normal discounts the council contributes towards such as OAP bus passes. There is no proposal to increase members' allowances.
- 25.22 **RESOLVED** – that the People and Place Overview & Scrutiny Committees note the Cabinet report on the General Fund Budget Update.

Meeting closed at 18.45

The meeting concluded at 6.45pm

Signed

Chair

Dated this

day of