



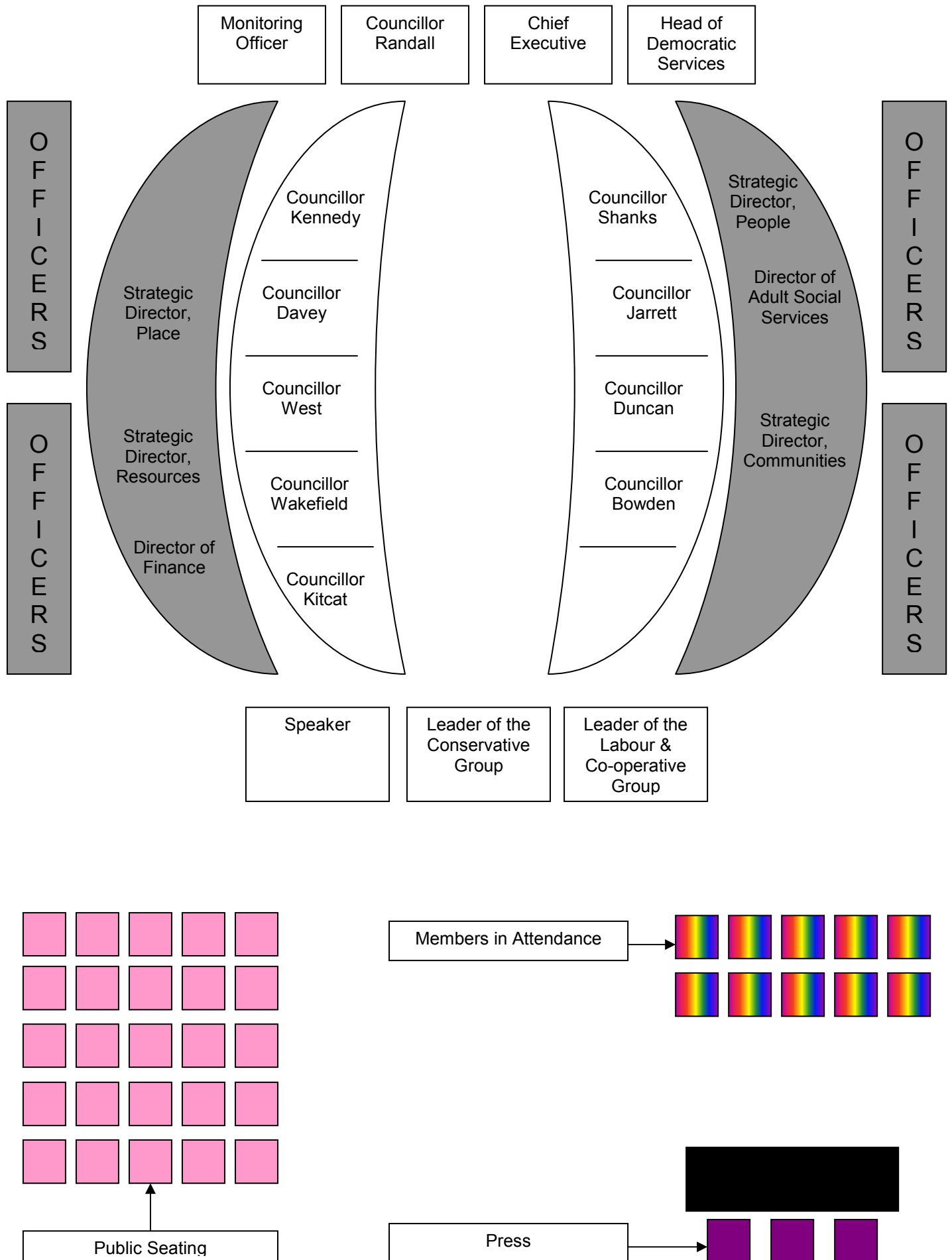
Brighton & Hove  
City Council

# Cabinet Meeting

Title:	<b>Cabinet</b>
Date:	<b>10 May 2012</b>
Time:	<b>4.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<b>Councillors:</b> Randall (Chair)  Bowden, Davey, Duncan, Jarrett, Kennedy, J Kitcat, Shanks, Wakefield and West
Contact:	<b>Mark Wall</b> Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



## AGENDA

### PART ONE

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#### 255. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) 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 2 of the Agenda states in its heading either that it is confidential or 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 categories of exempt information is available for public inspection at Brighton and Hove Town Halls.*

#### 256. MINUTES OF THE PREVIOUS MEETING

1 - 12

Minutes of the Meeting held on 19<sup>th</sup> April 2012 (copy attached).

#### 257. CHAIR'S COMMUNICATIONS

#### 258. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Members
- (b) Items reserved by the Opposition Spokespeople
- (c) Items reserved by Members, with the agreement of the Chair.

*NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.*

#### 259. PETITIONS

13 - 14

The following petitions are being presented:

- (a) Save our Valley – Presented by Councillor Fitch. Report of the Strategic Director; Resources (copy attached).

## **CABINET**

### **260. PUBLIC QUESTIONS**

A list of public questions received by the due date of 12 noon on the 2<sup>nd</sup> May 2012 will be circulated separately as part of an addendum to the agenda for the meeting.

### **261. DEPUTATIONS**

A list of any deputations received by the due date of 12 noon on the 2<sup>nd</sup> May 2012 will be circulated separately as part of an addendum to the agenda for the meeting.

### **262. LETTERS FROM COUNCILLORS**

The closing date for receipt of letters from Councillors was 10.00am on 27 May 2012 - No letters have been received.

### **263. WRITTEN QUESTIONS FROM COUNCILLORS**

The closing date for receipt of written questions from Councillors was 10.00am on 27 May 2012 - No written questions have been received.

### **264. NOTICES OF MOTION**

No Notices of Motion have been referred.

## **FINANCIAL MATTERS**

### **265. FINDINGS AND RECOMMENDATIONS OF THE BRIGHTON & HOVE LIVING WAGE COMMISSION** **15 - 34**

Report of the Strategic Director; Resources (copy attached).

*Contact Officer:* Emma McDermott *Tel:* 29-3944  
*Ward Affected:* All Wards

## **STRATEGIC & POLICY MATTERS**

### **266. CITY PLAN, PART 1 - DOCUMENT FOR CONSULTATION** **35 - 96**

Report of the Strategic Director; Place (copy attached).

*Contact Officer:* Liz Hobden *Tel:* 29-2504  
*Ward Affected:* All Wards

### **267. PROPOSED OPTIONS FOR THE PROVISION OF 3 JUNIOR FORMS OF ENTRY IN PORTSLADE - RESULT OF CONSULTATION** **97 - 100**

Report of the Strategic Director; People (copy attached).

*Contact Officer:* Gil Sweetenham *Tel:* 29-3474  
*Ward Affected:* All Wards

## **CABINET**

### **268. WASTE STRATEGY REVIEW 101 - 150**

Report of the Strategic Director; Place (copy attached).

*Contact Officer: Jan Jonker Tel: 29-4722*  
*Ward Affected: All Wards*

### **269. NEIGHBOURHOOD COUNCILS/GOVERNANCE 151 - 198**

Report of the Strategic Director; Communities (copy attached).

*Contact Officer: Sam Warren Tel: 29-6821*  
*Ward Affected: All Wards*

## **PROPERTY & REGENERATION MATTERS**

### **270. I360 - UPDATE REPORT 199 - 216**

Joint report of the Strategic Director; Place and Director of Finance (copy attached).

*Contact Officer: Katharine Pearce Tel: 29-2553*  
*Ward Affected: Regency*

### **271. NEW HISTORIC RECORDS OFFICE & RESOURCE CENTRE 217 - 226**

Report of the Strategic Director; Communities (copy attached).

*Contact Officer: Janita Bagshawe Tel: 29-2840*  
*Ward Affected: All Wards*

## **CONTRACTUAL MATTERS**

### **272. CORPORATE PROCUREMENT OF ENERGY - HALF HOURLY (OVER 100KW) ELECTRICITY AND GAS CONTRACTS STARTING OCTOBER 2012 227 - 242**

Report of the Strategic Director; Resources (copy attached).

*Contact Officer: Angela Dymott Tel: 29-1450*  
*Ward Affected: All Wards*

## **PART TWO**

### **273. PART TWO MINUTES - EXEMPT CATEGORY 3 243 - 246**

Part two minutes of the previous meeting held on the 19<sup>th</sup> April 2012 (circulated to Members only).

## CABINET

### 274. PART TWO ITEMS

To consider whether or not any of the above items and the decisions thereon should remain exempt from disclosure to the press and public.

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

Date of Publication - Tuesday, 1 May 2012

**BRIGHTON & HOVE CITY COUNCIL****CABINET****4.00PM 19 APRIL 2012****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

**Present:** Councillors Randall (Chair), Bowden, Davey, Duncan, Jarrett, J Kitcat, Shanks, Wakefield and West.

**Also in attendance:** Councillors Peltzer Dunn (Opposition Spokesperson) and Mitchell (Leader of the Labour & Co-operative Group).

**Other Members present:** Councillors A. Norman and Janio.

**PART ONE****235. PROCEDURAL BUSINESS****235 (a) Declarations of Interest**

- 235.1 Councillor Mitchell declared a personal and non-prejudicial interest in Item 252, Stanmer Park – Traditional Agricultural Buildings Update, as she Chaired the Brighton & Hove Estates Conservation Trust which leased buildings in the Park.
- 235.2 Councillor West declared a personal and non-prejudicial interest in Item 252, Stanmer Park – Traditional Agricultural Buildings Update, as he was a member of the Brighton & Hove Estates Conservation Trust which leased buildings in the Park and also a member of the South Downs National Park Authority.

**235 (b) Exclusion of Press and Public**

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

235.2 The Chair noted that an additional item was to be taken in closed session as an urgent item and therefore there would be a need to exclude the press and public from the meeting at that point.

235.2 **RESOLVED** – That the press and public be excluded from the meeting during consideration of the urgent item to be taken as Item 255, Proposed Options for the Provision of 3 Junior Forms Portslade – Site Acquisition.

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

236.1 **RESOLVED** - That the minutes of the meeting held on 15<sup>th</sup> March 2012 be approved as a correct record.

### **237. CHAIR'S COMMUNICATIONS**

237.1 The Chairman noted that the meeting would be webcast.

237.2 The Chair reported on the success of the Brighton Marathon, noting that 40% of entrants had a Brighton post code and that Manchester, Liverpool and Milton Keynes were now planning on hosting their own marathons because of the interest in Brighton's.

237.3 The Chair noted that the Government had issued a consultation on civil marriage and that the Leaders Group had called for a report to the Policy & Resources Committee in June with a view to a joint letter being sent in response to the consultation.

237.4 The Chair also noted that Brighton and Hove was one of the top authorities for the World Wildlife Fund's 'What Wood would you choose' initiative, having made the Gold Pledge to only buy recycled, certified or sustainable and legal timber products across all services.

237.5 The Chair stated that he had met delegates from Europe who were attending the Council of Europe Conference, being hosted in the City and which was likely to announce a 'Brighton Declaration' in relation to the European Court of Human Rights.

### **238. ITEMS RESERVED FOR DISCUSSION**

238.1 **RESOLVED** – That all the items be reserved for discussion.

### **239. PETITIONS**

239.1 The Chair noted that one petition was due to be presented and invited Mr. Gray to come forward and address the Cabinet. He also noted that Mr. Gray was a very good friend of his albeit that he had not been directly involved in the matter to be raised.

239.2 Mr. Gray thanked the Chair and stated that he wished to present a petition calling on the council to address the need for road safety measures along Dyke Road. He noted that over 90 people had signed the on-line petition and explained that the level and speed of traffic had already seen a number of accidents and with two schools in the locality, residents were concerned for the safety of children as well as others. He



hoped that with the resources identified for road improvements some action would be taken to improve the safety and control the speed of traffic e.g. with the introduction of a 20mph speed limit.

239.3 The Chair thanked Mr. Gray for attend attending the meeting and invited Councillor Davey, Cabinet Member for Transport to respond.

239.4 Councillor Davey thanked Mr. Gray and stated that requests for 20mph zones across the city were being made and he hoped to bring a full report to a future meeting in due course on the expansion of such zones. In the meantime he would ask Road Safety Officers to contact Mr. Gray and meet him on site to discuss safety provisions for Dyke Road and to review the traffic flow.

239.5 Mr. Gray welcomed the offer to meet with officers.

239.6 The Chair noted the information and proposed the petition be noted.

239.7 **RESOLVED:** That the petition be noted.

#### **240. PUBLIC QUESTIONS**

240.1 The Chair noted that no pubic questions had been submitted for the meeting.

#### **241. DEPUTATIONS**

241.1 The Chair noted that no deputations had been submitted for the meeting.

#### **242. LETTERS FROM COUNCILLORS**

242.1 The Chair noted that no letters from Members had been received for the meeting.

#### **243. WRITTEN QUESTIONS FROM COUNCILLORS**

243.1 The Chair noted that no questions from Members had been submitted for the meeting.

#### **244. NOTICES OF MOTION**

244.1 The Chair noted that there were no notices of motions for consideration at the meeting.

#### **245. PREPARATIONS FOR COUNCIL TAX SUPPORT SYSTEM**

245.1 Councillor J. Kitcat introduced the report which detailed the need for the council to introduce its own local council tax support system, as a result of the Government deciding to withdraw the national council tax benefits system from 1<sup>st</sup> April 2013. It meant that there was a need for the council to develop its own benefits model and to consult on a possible discounts scheme that could be introduced in 2013. At present the government had not issued any guidance to assist local authorities in developing their own systems and therefore the proposed process for taking this forward was outlined in the report.

- 245.2 Councillor Mitchell welcomed the report as an initial first draft and stated that the Labour & Co-operative Group would support working towards developing the council's own maximum discount scheme. She was concerned about the lack of guidance from the government and hoped that information would be forthcoming around such issues as empty and second homes.
- 245.3 Councillor A. Norman acknowledged that the government's proposals were challenging and key information had yet to be made available. However, there was a need to plan ahead as early as possible and she welcomed the report at this stage. She hoped that neighbouring authorities would be consulted and best practice shared as part of the development of the council's scheme. She also asked if further information could be provided in regard to the £750k that had been set aside in the budget for this matter and how it was to be utilised.
- 245.4 Councillor J. Kitcat noted the comments and stated that a South East 7 Working Group had been established at both Member and officer level and neighbouring authorities would be consulted throughout the development process, although there was a recognised need for the council to have its own system. He was also happy to ensure that further information was shared with Members as it became available.
- 245.5 The Chair then put the recommendations to the vote.
- 245.6 **RESOLVED:**
- (1) That options for a new local Council Tax Support system be modelled on the basis of a maximum discount scheme as set out in paragraph 3.14 of the report;
  - (2) That the provisional timeline for decisions as set out in paragraph 3.20 of the report be noted; and
  - (3) That the initial programme of engagement and consultation on the key issues set out in section 4 of the report be agreed.

## **246. ONE PLANET COUNCIL**

- 246.1 The Chair introduced the report and noted that it was one of the Green Administration's priorities i.e. to create a more sustainable city. He believed that the One Planet approach would do that and the council needed to be an exemplar in this respect and it would be a huge achievement for the authority to reach the One Planet Living status, as there were only two authorities in the country at present who had done so. He noted that in meetings with the local business representatives, they had recognised the importance of this ambition and wanted to support the city in meeting the targets. He accepted that the targets listed in appendix two were tough and would be difficult for the council but the Administration was committed to becoming the greenest city in the country.
- 246.2 Councillor J. Kitcat stated that there was a clear and proven framework for this and the council had to lead by example across the city and support other organisations and residents in working towards the goal.

- 246.3 Councillor Janio noted the report and stated that he believed the achievements listed on paragraph 3.11 would have happened naturally and not as a result of the council seeking one planet status. He was concerned about the allocation of resources to meet this and questioned how aims such as reducing cars/car journeys in the city over the next 5 years would be achieved. He did not believe this was sustainable, the city would be vastly different in 5 years time and suggested that the report should be referred back to officers and rewritten.
- 246.4 Councillor Mitchell stated that there were ambitious targets and suggested that further consideration of the business case needed to take place and the financial implications clarified. She did not want to see budgetary cutbacks to front-line services in order to meet this expenditure and sought reassurance that necessary resources would be identified to enable this project to be taken forward; given the current economic climate.
- 246.5 Councillor J. Kitcat stated that this was an in-principal report and officers would be producing an action plan to meet the criteria to achieve the standards and that action plan would come forward for consideration, as choices would need to be made.
- 246.6 Councillor West stated that this was the first time that a clear goal had been set out in this regard for sometime and the council needed to embrace it and take actions to work towards meeting the standards, which he believed would result in a positive impact and in the long-term enable savings to be made.
- 246.7 Councillor Peltzer Dunn stated that he shared the aspirations that were identified, but felt that the long shopping list that was set out lacked any financial information or detail on how the standards would be delivered and at what cost and the impact of those achievements. He asked that a commitment be given to bringing forward a full financial appraisal report to a future meeting.
- 246.8 The Chair stated that this approach was critical to the city and a full business case would be produced as it would lead to the creation of jobs. He then put the recommendations to the vote.
- 246.9 **RESOLVED:**
- (1) That Cabinet authorises the Strategic Director responsible for Resources to develop a Sustainability Action Plan, as specified in paragraphs 3.8 and 3.13 of the report, that sets out the work required to seek endorsement for Brighton & Hove City Council as a One Planet Council; and
  - (2) That the Strategic Director; Resources, be instructed to submit a follow-up report at the appropriate time and to the relevant council decision-making forum, seeking approval for the Sustainability Action Plan against which the endorsement decision (referred to in recommendation 1 above) will be taken.

## 247. HOUSING ALLOCATION POLICY REVIEW

- 247.1 The Chair introduced the report which reviewed the allocation of housing in the city to care leavers who were a vulnerable group that required support.
- 247.2 Councillor Wakefield stated that the report had resulted from concerns raised by this group of vulnerable people took account of the results of a public consultation exercise that took place between November and December last year. It was recommended that care leavers should be awarded Band A priority for social housing following a case conference which would identify the support package required for each individual. She noted that the council had a corporate parenting responsibility towards these people and hoped that this would enable the council to meet this responsibility.
- 247.3 Councillor Mitchell stated that she fully supported the report.
- 247.4 The Chair noted the comments and thanked the Labour & Co-operative Group for working with the Administration in putting the amendment to the report at the Housing Consultative Committee meeting that considered the matter on the 4<sup>th</sup> April. He then put the recommendations to the vote.
- 247.5 **RESOLVED:** That the Council be recommended:
- (1) That the proposals set out in paragraphs 3.22 to 3.28 in the report and also Appendix 3 to the report be approved;
  - (2) That the Strategic Director, Place, be authorised to amend the Council's Housing Allocations policy to reflect the above changes; and
  - (3) That the Strategic Director Place and the Strategic Director People, be authorised to take all steps necessary or incidental to the implementation of the proposals in paragraphs 3.22 to 3.28, including making appropriate arrangements for assessments, referrals and reporting to Members as suggested in paragraphs 3.14 and 3.24 of the report.

## **248. TRANSPORT ARRANGEMENTS TO VOLUNTARY AIDED CHURCH SCHOOLS IN BRIGHTON AND HOVE**

- 248.1 Councillor Shanks introduced the report which detailed the proposed withdrawal of denominational transport in the form of a bus pass to a number of children who attend the nearest voluntary aided school of a religious character of their own faith. She stated that the intention was to make the system fairer and noted that it had been the subject of a consultation exercise, the views of which had been taken on board. It was intended to introduce the change with effect from 1<sup>st</sup> September 2013, and to protect those children who had entered the exam year until that was completed.
- 248.2 Councillor Mitchell stated that she was aware of the reasoning for the proposal and supported the change but asked that the continued provision of council subsidised bus services be maintained as they were key to enabling the change to be implemented effectively.

248.3 The Chair noted the comments and stated that the subsidised bus routes were currently out to tender and the outcome of that process would have to be awaited. He then put the recommendations to the vote.

248.4 **RESOLVED:**

- (1) That the Council withdraw denominational transport as defined in paragraph 5.2 of the report from 1<sup>st</sup> September 2013; and
- (2) That the Council provides protection for older pupils at Cardinal Newman School who have bus passes and who have already started an examination course, until completion of that course.

**249. ASSET MANAGEMENT FUND 2012/13**

249.1 Councillor J. Kitcat introduced the report which detailed the capital fund for 2012/13 of £1m to support property improvements, property related Health & safety requirements and access improvements under the Equalities Act 2010. He noted that it formed part of the Capital Strategy 2012/13 along with the Strategic Investment Fund of £0.25m and the ICT Strategy Fund of £0.5m.

249.2 Councillor Mitchell noted the report and queried whether the proposed disposal of the ex-school property in Loxhill, Portslade was appropriate at this time given the pressures for school accommodation in Portslade.

249.3 The Strategic Director; People stated that a full review of the property had been undertaken and it had be found to be unsuitable for the needs of the schools in the area or the LEA and therefore had gone forward for disposal.

249.4 The Chair then put the recommendations to the vote.

249.5 **RESOLVED:** That the recommended remaining allocation of AMF bids totalling £0.3 million, as detailed in items 2, 3 and 4 of paragraph 3.3 of the report be approved.

**250. SPORTS FACILITIES PLAN**

250.1 Councillor Bowden introduced the report which outlined the proposed Sports Facility Plan that had been drawn up in order to redress the low level of satisfaction amongst residents with local sports facility provision in the city. This had been identified as a result of Sport's England's Active People Survey, which had shown Brighton & Hove as being in the top 25% nationally for sports participation but the bottom 25% for satisfaction of provision. The Plan listed the priorities that had been identified along with recommendations to help meet them which would enable greater participation and improved facilities and access to and for sports.

250.2 The Chair referred back to the success of the marathon as well as the successful football and cricket clubs and noted that Brighton and Hove was one of the 13 priority areas identified by Sports England for support and investment. The Plan was a

means to enabling that potential investment to be accessed and he hoped it would be supported by all Groups on the council.

250.3 Councillor Mitchell welcomed the report and stated that it was one of the most comprehensive that had been brought forward for consideration. It provided a platform to build on and one that she hoped would be taken forward as there was a need to look at accessibility for example and making use of sites that required development/improvement e.g. King Alfred.

250.4 Councillor Peltzer Dunn stated that the Administration had inherited a difficult situation and he welcomed the approach to tackle it, but wanted to express some concern over not aiming too high or being too ambitious and thereby raising expectations which may not be met. There was a need to ensure that the current level of provision and facilities were maintained and not priced out of reach or neglected.

250.5 The Chair noted the comments and stated that there was a need to look at those facilities that existed e.g. in schools and find ways to give greater access to them. He then put the recommendations to the vote.

250.6 **RESOLVED:**

(1) That the recommendations in the Sports Facilities Plan 2012-22 be approved; and

(2) That delegated authority be granted to officers to begin implementing the following list of required actions:

- Establishment of a Project Team to begin scoping work on options for the future of the King Alfred Leisure Centre to be funded initially from £40k existing capital budget within Major projects;
- Investigate options for increased access to school facilities;
- Explore options for a purpose built gymnastics facility;
- Explore options for improved athletics facilities;
- Improve the quantity and quality of health and fitness facilities;
- Improve the quantity and quality of artificial grass pitches.

## **251. WITHDEAN SPORTS COMPLEX MASTERPLAN**

251.1 Councillor Bowden introduced the report which outlined proposals for improving sports facilities at Withdean Sports Complex, in line with the recommendations identified in the citywide Sports Facilities Plan 2012-22. He noted that there would be a consultation exercise undertaken and hoped that it would see improvements being made and greater use of the complex.

251.2 Councillor Peltzer Dunn asked for confirmation of the time scale for the proposed phase 1 as outlined in the report; and noted that the athletics provision was likely to be sometime away. He also stated that the Conservative Ward Councillors were in favour of the proposed skatepark, as it was seen as something that would meet the needs of young people in the area.

- 251.3 The Strategic Director; Communities informed the Cabinet that it was April 2013 for phase 1 however, the athletics improvements were likely to begin in the autumn as an agreement had been reached with Whitehawk Football Club which released the area they had been using.
- 251.4 Councillor Shanks stated that as the other Ward Councillor for Withdean, she also supported the skatepark and noted that the young people had previously petitioned the council and she believed it would only improve the use of the complex and give the young people something that they desperately wanted.
- 251.5 The Chair noted the comments and put the recommendations to the vote.
- 251.6 **RESOLVED:**
- (1) That Phase 1, which is the investment proposal to increase the health and fitness facilities at Withdean Sports Complex be undertaken subject to planning consent;
  - (2) That the investment proposal (in 1 above) be added to the Capital Programme at a total cost of £3.010m (£1.63m in 2012/13 and £1.38m in 2013/14), to be funded from prudential borrowing over 25 years financed from additional management fee income with effect from 2013/14;
  - (3) That it be agreed that prior to letting the contract for the works and agreeing variations to the Sports Facilities Management Contract the viability of the project is confirmed with the Chief Finance Officer; and
  - (4) That officers be authorised to investigate the feasibility of the options listed under Future Phases in the report.

## **252. STANMER PARK - TRADITIONAL AGRICULTURAL BUILDINGS UPDATE**

- 252.1 Councillor West introduced the report stated that following the surrender of Home Farm agricultural tenancy, the council had obtained vacant possession of the traditional agricultural buildings located within Stanmer Village. Having acquired the buildings it was proposed to draw up a revised Downland Estates Policy that would enable the restoration and refurbishment of the buildings so that they could be put back into mixed use. It was intended to establish a project team to take the work forward and produce a feasibility study that could then lead to the use of the buildings in the future.
- 252.2 Councillor Mitchell noted the report and stated that she felt the council had been at this stage before and questioned the need for the use of £75k to produce a new plan when a great deal of the information was already held by the council. She supported the aim to bring the buildings back into use but felt that this could be achieved without having to redefine the business case etc.
- 252.3 Councillor Peltzer Dunn agreed with Councillor Mitchell over the availability of the information and expressed concern over the impact the raising of expectations may have in regard to the redevelopment of the buildings on the current viable business that existed in the village.

252.4 Councillor West noted the comments and stated that he believed there was a need to revise the feasibility study and look to encourage support from other parties so as to enable the restoration and re-use of the buildings. He also wished to move an amendment to recommendation 2.1 to include the word 'City' in front of Downland.

252.5 Councillor Bowden formally seconded the amendment.

252.6 The Chair noted the comments and agreed that the current business needed to be taken into account in regard to any future proposals. He then put the recommendations as amended to the vote.

252.7 **RESOLVED:**

- (1) That it be agreed to consult with the SDNPA, tenants and other interested parties on the refreshed City Downland Initiative called the Downland Estate policy that fits into the One Planet Living principles and UN Biosphere Reserve status; and
- (2) That the progress made to date be noted and the appointment of a project team to establish the feasibility of the Home Farm buildings being refurbished as a gateway to the South Downs National Park be supported. Working in partnership with the SDNPA the project team will establish a planned and costed development strategy that fits into the developing master plan for the Park capable of being used, for applications for grant funding, such as, the Heritage Lottery Grant Fund. Funding for the project team's initial set up costs of £75,000 is to be met from existing capital budgets.

**253. BOUNDARY AMENDMENT TO THE ARTICLE 4 DIRECTION ON HOUSES IN MULTIPLE OCCUPATION**

253.1 The Chair noted that the Cabinet had previously approved the boundary amendment to the article 4 direction on Houses in Multiple Occupation, however, it had come to light that an area fell within the National Park boundary and therefore could not be included. The report simply allowed for that amendment to be recognised.

253.2 **RESOLVED:** That the Cabinet notes the amendment to the boundary of the area to be covered by the article 4 direction agreed at the Cabinet meeting on 15 March 2012. The amendment excludes land within the South Downs National Park.

**254. PROVISION OF THE BUILDING MAINTENANCE CONSULTANCY SERVICES CONTRACT FOR EDUCATION & SOCIAL CARE PREMISES**

254.1 Councillor J. Kitcat introduced the report and stated that as part of the new corporate landlord approach it was proposed to bring the building maintenance consultancy service back in-house when the current contract expired at the end of August 2012.

254.2 Councillor Peltzer Dunn stated that he understood the logic of the proposal and sought confirmation that it would not result in a lessening of level of service that was currently provided.



254.3 The Chair confirmed that the intention was to maintain the level of service and put the recommendations to the vote.

254.4 **RESOLVED:** That the Strategic Director; Resources be authorised to bring the provision of the building maintenance consultancy services for education & social care premises in-house at the expiry of the Contract with NPS. The advantages of this service provision approach are set out at paragraph 3.8 of the report.

## PART TWO SUMMARY

### 255. PROPOSED OPTIONS FOR THE PROVISION OF 3 JUNIOR FORMS PORTSLADE - SITE ACQUISITION - EXEMPT CATEGORY 3

255.1 The Chair noted that he had accepted the report as a matter of urgency as there was a need to consider the way forward for property negotiations in regard to available land for the proposed expansion of St Peter's School. He also noted that a proposed amendment to add an additional recommendation 2.3 had been circulated.

255.2 Councillor Shanks introduced the report and stated that the need to consider the options available to the council in regard to the proposed expansion of St Peter's School had arisen because of the interest in one area of land by the adjoining business.

255.3 The Chair noted the position and suggested that the recommendations be agreed as amended as they offered a way forward and hopefully it would lead to the expansion of the school which was the objective supported by everyone.

255.4 **RESOLVED:**

- (1) That the preferred option of making St Peters Community Infant School, Portslade Infant School and St Nicolas Church of England Junior School into all through primary schools from September 2013 be endorsed;
- (2) That the Strategic Director; People jointly with Strategic Director; Resources, be authorised to acquire, in consultation with the relevant Cabinet Members, either the freehold interest or a leasehold interest in either of the sites listed in the report, in order to be able to provide the necessary site to expand St Peter's Community Infant School; and
- (3) That the authorisation in (2) above include the acquisition of part or the whole of the sites in question as a freehold or under a lease or sub-lease from the proprietor/s.

### 256. PART TWO ITEMS

256.1 The Cabinet considered whether or not the above item, taken as a matter of urgency as agreed by the Chair should remain exempt from disclosure to the press and public.

256.2 **RESOLVED** – That item 255 and the decisions thereon contained in part two of the agenda, should remain exempt from disclosure to the press and public.

The meeting concluded at 6.00pm

Signed

Chair

Dated this

day of

# CABINET

## Agenda Item 259

10 May 2012

Brighton & Hove City Council

<b>Subject:</b>	<b>Petitions</b>		
<b>Date of Meeting:</b>	<b>10 May 2012</b>		
<b>Report of:</b>	<b>Strategic Director, Resources</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mark Wall</b>	<b>Tel:</b> 29-1006
	<b>E-mail:</b>	<b>mark.@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>No</b>		
<b>Wards Affected:</b>	<b>Various</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

1.1 To receive any petitions presented at Council, any petitions submitted directly to Democratic Services or any e-Petition submitted via the council's website.

#### 2. RECOMMENDATIONS:

2.2 That the Cabinet Member responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options, including the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's Overview and Scrutiny Committee
- calling a referendum

#### 3. PETITIONS

##### 3.1 Save Our Valley

To receive the following e-Petition submitted by Councillor Fitch and signed by 293 people:

*"We the under-signed support the campaign organised by National Trust to stop the Conservative-led Government building and desecrating our countryside. Locally, our own Toad's Hole Valley is under threat of development, as has been highlighted in the local press. We therefore urge Brighton & Hove's Green Council to reject any plans for development on Toad's Hole Valley, protecting its use for local residents, children and as a haven for wildlife".*



<b>Subject:</b>	<b>Findings and Recommendations of the Brighton &amp; Hove Living Wage Commission</b>		
<b>Date of Meeting:</b>	<b>10 May 2012</b>		
<b>Report of:</b>	<b>Strategic Director – Resources</b>		
<b>Lead Cabinet Member:</b>	<b>Leader of the Council, Cabinet Member for Finance &amp; Central Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Emma McDermott</b>	<b>Tel: 29-6805</b>
	<b>Email:</b>	<b><a href="mailto:emma.mcdermott@brighton-hove.gov.uk">emma.mcdermott@brighton-hove.gov.uk</a></b>	
<b>Key Decision:</b>	<b>No</b>	<b>Forward Plan No:</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Following its approval as a key commitment to tackling inequality in the council's new corporate plan in October 2011 the Leader of the Council instigated an independent Living Wage Commission to examine the benefits, risks and opportunities for establishing a living wage for the city of Brighton & Hove.
- 1.2 The Commission concluded its work in March 2012 and published a report, the findings and recommendations of which are presented to Cabinet in this report.

**2. RECOMMENDATIONS:**

- 2.1 That Cabinet notes the findings of the Living Wage Commission and support their recommendations, as listed in paragraph 3.7
- 2.2 In support of recommendation four (4) of the living wage report Brighton & Hove City Council, within its procurement process and on a case by case basis, trials requesting contractors to submit a living wage and a non living wage bid. In addition, with partners, the council will share learning from this work and help develop approaches to include the Living Wage in the procurement work of other public bodies in the city.
- 2.3 That Cabinet approves recommendation five (5) of the Living Wage Commission report and instructs officers to explore the possibility of gaining Living Wage accreditation.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 A living wage is a minimum hourly wage that takes into account certain basic costs of living. It is a voluntary commitment by employers, separate from the statutory National Minimum Wage.

- 3.2 In October 2011, instigated by Brighton & Hove City Council, an independent Living Wage Commission was set up to examine the benefits, risks and opportunities for establishing a living wage for the city of Brighton & Hove, and to report on:
- A city position on adopting a living wage.
  - A living wage (hourly rate) for the city of Brighton & Hove.
  - How employers could be supported to implement a living wage for directly employed staff and to review their procurement, contract and best value policies to ensure that as far as possible, within the law, the living wage is paid to all contracted staff.
  - Identifying any specific issues and requirements for different employment sectors within the city.
  - To ensure that pursuing a living wage helps tackle inequality while protecting and promoting the competitiveness and effectiveness of businesses and organisations.
- 3.3 The Commission's role was to act in an advisory capacity to Brighton & Hove City Council's Cabinet, Brighton & Hove Strategic Partnership (BHSP) and the Public Service Board (PSB). The City Council acted as the accountable body for the Commission. The Commission had no formal decision making or budgetary powers.
- 3.4 The Commission was chaired by Julia Chanteray, President of the Brighton & Hove Chamber of Commerce. Membership of the Commission included representatives from the public, private and community & voluntary sector, as follows:
- City Council: Leader, Cabinet Member for Finance & Central Services, Labour & Co-op Group representative, Conservative Group representative
  - City Council Chief Executive
  - Business representatives: Chamber of Commerce, Economic Partnership
  - Tourism sector representative (Chair of Hotel Association)
  - CVSF representatives and CEO CVSF
  - Trade Unions representatives (Unison, GMB, Unite)
  - NHS Brighton & Hove
  - Sussex Police
  - University of Brighton
  - The Living Wage Foundation
- 3.5 The Director of the Living Wage Foundation acted in an advisory capacity to the Commission and facilitated access to Donald Hirsch (Head of Income Studies, Centre for Research in Social Policy, Loughborough University), the independent consultant who calculates the national living wage figure and has worked with the GLA on the London Living Wage figure.

### 3.6 The key findings of the Living Wage Commission were that:

- In line with recommendations from the Living Wage Foundation and the independent findings of the Commission's work the city adopts the national living wage figure of £7.20 as the living wage for Brighton & Hove.
- Public sector organisations in the city are already in a relatively good position to meet this rate.
- The private sector position is not as favourable as a whole, but there is significant variation in wage distribution between different parts of the sector.
- There is good support for a living wage among the business community, but with a need for practical help and advice to turn business support into higher wages.
- There are specific issues and concerns about the Living Wage in businesses that are key to the city's employment and economy, including retail, hospitality and wider tourism sectors, that require further work.
- The Third Sector, in general, pays the living wage with the exception of organisations that are competing for contracts directly with the private sector, i.e. transport, carers.
- Public sector procurement presents a challenge but there are opportunities to address this in a phased way.
- Making a living wage a reality needs to be directly linked to other activity to stimulate the local economy.
- That the figure of £7.20 although challenging for many employers should be seen as a minimum living wage level, and that this level of pay is a first step towards a potentially higher figure that fully reflects the costs of living in Brighton & Hove.

### 3.7 The final recommendations of the Commission were:

1. Adopt the national living wage figure of £7.20 as a minimum living wage for Brighton & Hove.
2. A campaign be developed to raise awareness and promote the benefits of a living wage for businesses, including providing practical business support, developing a local 'kitemark' scheme and linking in with the national living wage campaign and the accreditation scheme. The campaign to include support and further work with retail, hospitality and wider tourism sectors.
3. The City's overarching cross sector working forums, the Brighton & Hove Strategic Partnership and the Public Service Board to formally endorse £7.20 as a living wage for the city, to take responsibility for overseeing the campaign and for the long-term promotion and development of a living wage for the city. This work to include revising the success of the campaign over a two year period and agreeing further changes to the living wage level as appropriate.

4. Brighton & Hove City Council, within its procurement process, to trial requesting contractors to submit a living wage and a non living wage bid as mandatory. With partners the council will share learning and help develop approaches to include the Living Wage in the procurement work of other public bodies in the city.
  5. Brighton & Hove City Council to lead by example in the public sector and, as part of this, explore the possibility of gaining formal accreditation as a Living Wage employer from the Living Wage Foundation.
  6. Community & Voluntary Sector Forum to lead by example in the third sector and, as part of this, explore the possibility of gaining formal accreditation as a Living Wage Employer from the Living Wage Foundation.
  7. Embed the principle and promotion of the living wage in all new city strategic plans, strategies and programmes, in particular the city's new economic development strategy.
- 3.8 Further resources relating to the Commission, including minutes of the meetings and copies of presentations given in evidence, are available on the council's website, <http://www.brighton-hove.gov.uk/index.cfm?request=b1162204>

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 The Commission was established as a consultative and advisory body and included representatives from key sectors and employers in the city (see para. 3.4). Experts and professionals with knowledge and experience of issues relating to the Living Wage were invited to speak to the Commission as part of the evidence gathering process.
- 4.2 As part of the Commission's work consultation exercises were also held with the wider business community and with larger community and voluntary sector employers in the city.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 In setting the 2012/13 budget the Council made a risk provision for pay related matters including providing funding for the Living Wage. The recommendations of this report on procurement and accreditation require a trail and options to be considered which do not have material financial implications; a further report will be brought back with fully costed options.

*Finance Officer Consulted: Anne Silley*

*Date: 23/04/12*

##### Legal Implications:

- 5.2 With reference to recommendation 4 in paragraph 3.7, there is a degree of uncertainty about the extent to which European law permits the inclusion of living wage requirements in a procurement exercise, where that exercise is subject to the EU Procurement Rules. The purpose of the Procurement rules is to co-



ordinate procedures for the award of public contracts, so as to eliminate barriers to the freedom to provide services. The imposition of a blanket requirement for all contractors to submit both a 'living wage bid', and a 'non living wage bid' runs the risk of being subject to a legal challenge on the basis that for some services, this will act as a barrier to potential suppliers. This risk can be minimised if the decision to apply a living wage requirement is approached on a case by case basis, and this explains why – at para 2.2. of this report – Cabinet is asked to approve an amended version of recommendation 4.

In addition, if a living wage requirement is to form part of the technical specification for a contract, or the award criteria to be applied, case law has established that the requirement must be linked to the subject matter of the contract. Again, this means that the legal risk of a challenge is minimised where the matter is considered on a case by case basis.

*Lawyer Consulted: Oliver Dixon*

*Date: 23 April 2012*

#### Equalities Implications:

5.3 The Commission's findings were based on evidence of the challenges faced by individuals and families living on low wages or excluded from the labour market within the city due to high living costs, and the proven effectiveness of the Living Wage to help more people achieve a decent standard of living.

#### Sustainability Implications:

5.4 The council has adopted a One Planet approach to sustainability and is working towards formal endorsement as a 'One Planet Region'. This involves making commitments and setting out how it will meet targets under ten principles of sustainability. One of these is Equity and Local Economy, under which the council should set out how "the council and its key partners will be Living Wage employers, appropriate to that region, and aspire to create a working environment that supports equity and inclusiveness."

#### Crime & Disorder Implications:

5.5 The Commission did not consider any specific crime and disorder implications relating to the Living Wage.

#### Risk and Opportunity Management Implications:

5.6 The Commission's report weighs up the risks and opportunities of the Living Wage for businesses and for individuals. On balance it is viewed that potential risk is outweighed by the benefit, for both parties, and that the risk to business is minimised by virtue that the Living Wage is an entirely optional code of practice. However, in order to try and maximise take up of the campaign, advice will be offered to businesses to help manage additional costs incurred by increasing pay.

#### Public Health Implications:

- 5.7 The principle aim of the Living Wage is to reduce poverty and increase the minimum standard of living for individuals and for families, thereby improving their basic health and wellbeing. Evidence shows that work improves mental health, and a Living Wage can be linked to improved job satisfaction and productivity. The Living Wage is intended to encourage people to move into employment where low pay would otherwise be prohibitive to moving from benefits into work.

Corporate / Citywide Implications:

- 5.8 The Commission considers that by adopting a Living Wage for Brighton & Hove there is a potential benefit both for business and residents, along with a reputational advantage for the city and its economy as a whole. The council will be responsible for implementing Recommendations four and five of the Commission's report, as per paragraph 3.7. The Brighton & Hove Public Service Board and the Brighton & Hove Strategic Partnership will oversee progress of the local Living Wage campaign on behalf of the city.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The Commission considered the implications of introducing varying (higher and lower) Living Wage rates, based on analysis of pay sectors and the degree of risk to business and also potential benefit to individuals. The Commission concluded that the current national Living wage rate of £7.20 per hour was the most suitable starting point in terms of establishing a successful citywide Living Wage campaign in the current economic climate.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The recommendations are the independent findings of the Brighton & Hove Living Wage Commission. Cabinet is asked to endorse the Commission's recommendations and approve specific recommendations for the council relating to procurement processes and Living Wage accreditation.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Brighton & Hove Living Wage Commission, Final Report, March 2012

### **Documents in Members' Rooms**

None

### **Background Documents**

None



**Brighton & Hove**

**Living Wage Commission**

**2011/12**

**Final Report, March 2012**

## 1. Executive Summary

A living wage is a minimum hourly pay rate that takes into account certain basic costs of living. The concept of a living wage is a voluntary commitment by employers and is separate from the National Minimum Wage which employers are obliged to pay by law. The Living Wage Foundation<sup>1</sup> leads the campaign for a living wage in the UK.

The Brighton & Hove Living Wage Commission was established in October 2011 to explore the potential benefits, challenges and opportunities of introducing a living wage for the city and to recommend an appropriate local living wage rate.

Over a six month period the Commission heard and gathered a range of evidence about in-work poverty in the city; pay rates and structures in the public, private and third sectors; opportunities and barriers in public procurement; and willingness and barriers in the private sector to support a living wage for the city.

### The Key Findings:

- In line with recommendations from the Living Wage Foundation and the independent findings of the Commission's work the city adopts the national living wage figure of £7.20 as the living wage for Brighton & Hove
- Public sector organisations in the city are already in a relatively good position to meet this rate
- The private sector position is not as favourable as a whole, but there is significant variation in wage distribution between different parts of the sector
- There is good support for a living wage among the business community, but with a need for practical help and advice to turn business support into higher wages
- There are specific issues and concerns about the Living Wage in businesses that are key to the city's employment and economy, including retail, hospitality and wider tourism sectors, that require further work
- The third sector, in general, pays the living wage with the exception of organisations that are competing for contracts directly with the private sector, i.e. transport, carers
- Public sector procurement presents a challenge but there are opportunities to address this in a phased way
- Making a living wage a reality needs to be directly linked to other activity to stimulate the local economy
- That the figure of £7.20 although challenging for many employers should be seen as a minimum living wage level, and that this level of pay is a first step towards a potentially higher figure that fully reflects the costs of living in Brighton & Hove.

### Recommendations

1. Adopt the national living wage figure of £7.20 as a minimum living wage for Brighton & Hove.
2. A campaign be developed to raise awareness and promote the benefits of a living wage for businesses, including providing practical business support, developing a local 'kitemark' scheme and linking in with the national living wage campaign and the accreditation scheme. The campaign to include support and further work with retail, hospitality and wider tourism sectors.

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<sup>1</sup> <http://www.livingwage.org.uk/>

3. The City's overarching cross sector working forums, the Brighton & Hove Strategic Partnership and the Public Service Board to formally endorse £7.20 as a living wage for the city, to take responsibility for overseeing the campaign and for the long-term promotion and development of a living wage for the city. This work to include revising the success of the campaign over a two year period and agreeing further changes to the living wage level as appropriate.
4. Brighton & Hove City Council, within its procurement process, to trial requesting contractors to submit a living wage and a non living wage bid as mandatory. With partners the council will share learning and help develop approaches to include the Living Wage in the procurement work of other public bodies in the city.
5. Brighton & Hove City Council to lead by example in the public sector and, as part of this, explore the possibility of gaining formal accreditation as a Living Wage employer from the Living Wage Foundation.
6. Community & Voluntary Sector Forum to lead by example in the third sector and, as part of this, explore the possibility of gaining formal accreditation as a Living Wage Employer from the Living Wage Foundation.
7. Embed the principle and promotion of the living wage in all new city strategic plans, strategies and programmes, in particular the city's new economic development strategy.

## 2. Introduction

The Brighton & Hove Living Wage Commission was established to explore the potential benefits, challenges and opportunities of introducing a living wage for a number of reasons:

- The level of in-work poverty in the city
- The high cost of living, and continuing price of inflation in housing, fuel and food
- The prevalence of low wages in strategically important sectors including retail; tourism; and for some public / other key sector workers

The key tasks of the Commission were as follows:

- To report on a city position on adopting a living wage
- To recommend a living wage (hourly rate) for the city of Brighton & Hove
- To suggest how employers could be supported to implement a living wage for directly employed staff and to review their procurement, contract and best value policies to ensure that as far as possible, within the law, the living wage is paid to all contracted staff; identifying specific sectoral issues and requirements
- To ensure that pursuing a living wage helps tackle inequality while protecting and promoting the competitiveness and effectiveness of businesses and organisations

The Commission comprised:

- Brighton & Hove City Council; Leader, Cabinet Member for Finance & Central Services, Labour & Co-op Group representative, Conservative Group representative
- City Council Chief Executive and Strategic Director for Resources
- Business representative; Chamber of Commerce, Economic Partnership
- CVSF representative and CEO CVSF
- Trade Unions representatives; Unison, GMB, Unite
- NHS Brighton & Hove
- Sussex Police
- University of Brighton
- The Living Wage Foundation
- Brighton & Hove Hotel Association
- Brighton & Hove Albion Football Club

Over a period of 6 months (October 2011 to March 2012) the Commission heard and gathered evidence on a number of issues surrounding the living wage:

- Research on an appropriate living wage figure for Brighton & Hove
- Out of work and in-work households in poverty in the city
- Current pay levels in public, private and third sector
- Possibilities through public procurement
- Private sector business feedback

Full details of the Commission, including minutes of meetings and evidence presented, are available online at Brighton & Hove City Council's website <http://www.brighton-hove.gov.uk/index.cfm?request=b1162204>

### **3. Understanding the costs and benefits of a Living Wage**

A successful living wage must balance the (real and perceived) costs and benefits to businesses, recipients and the wider economy. Achieving the biggest gain for all parties is not necessarily straightforward. If a suggested living wage is too high certain business sectors and types will not take part. If it is not sufficient then it will not help to mitigate in-work poverty and high living costs.

Studies detailing the impact of living wage schemes have shown that there can be a large benefit to organisations who pay a living wage in terms of improved staff retention and therefore decreased recruitment and training costs.

A living wage can improve the quality of employment for the individual and, by so doing, increase that individual's relative productivity for the firm. KPMG, who pay a living wage to all staff including contracted staff, report not only an increase in retention but also a more positive attitude among employees which in turn benefits the company's image.

There is also a large body of theory and evidence which suggests that individuals work harder when paid more, improving the absolute productivity of employees. An 'efficiency wage' pays above the market level (or a 'reservation' wage) to attract better employees



who are more productive, whilst also incentivising them to remain in the job and not leave to join another firm who pay only a market rate.

This can be likened to the relationship and attractiveness between working for a company which pays a living wage or one that pays only the National Minimum Wage.

The financial cost of introducing a living wage falls solely on the employer paying a higher wage. This cost is quantifiable as the extra wages paid to employees in order to meet the living wage. However, one of the main issues in determining the cost-benefit to an employer of paying a living wage is that the benefits may be more qualitative, social, and uncertain and therefore not directly comparable with the cost.

Because of this difficulty in quantifying absolute benefits, paying a living wage could arguably be considered a moral decision for a company first and foremost, paying a wage that will be primarily of greatest benefit to employees, but also with some reasoned benefits for the employer based on experience of the living wage elsewhere.

This position would lead to one of the primary concerns or risks raised about a living wage; that employers might find ways to implement the living wage without incurring an increase in staff costs. For instance, by reducing the overall size of the workforce to increase individuals' salaries while at the same time increasing their personal workload.

Another concern would be about the overall effectiveness of a living wage campaign in an area. For varied reasons some employers may be reluctant pay a living wage, be it smaller profit margins, changes in the economy, or competitiveness to supply services and contracts at the lowest possible cost. As is true of Brighton & Hove, some of the lowest wage sectors are also most vital to a local economy.

In response, the view of the Living Wage Foundation and others who have implemented a living wage, is that it is ultimately a voluntary code and one that it is up to individual employers to choose whether or not they are able to sign up to. However, over a significant period of time a growing number of businesses and organisations across the UK are becoming Living Wage employers.

The attractiveness of a paying living wage for businesses, and therefore the likely take up of a living wage by as many businesses as possible in an area, will depend critically on two factors.

Firstly, what the actual cost of implementing the living wage is going to be. This is the difference between the current level of wages being paid and the level at which the living wage is set. This will vary between businesses, and is a fixed cost given any current number of employees. This fixed cost will be proportionately lower for companies with higher profit turnovers and / or lower labour to capital ratios.

Secondly, the perceived balance between the cost of paying a higher, living wage and the benefit to the business in terms of staff retention and / or lower absenteeism and training costs. If the cost of training is high relative to overall wages, due for example to high staff turnover / absenteeism, an employer may get relatively large benefits from paying a living wage.

#### 4. A Living Wage Figure for Brighton & Hove

The Commission asked Mr. Donald Hirsch<sup>2</sup> to calculate an hourly living wage rate for Brighton & Hove based on the same formula used for the national Living Wage figure, which currently stands at £7.20. The national Living Wage is not a fixed figure and will fluctuate over time with changes in the price of goods and inflation.

The national figure is based on the average prices of a minimum acceptable basket of goods (determined by members of the public), the cost of housing for families and those without children, and childcare costs. London is excluded from the national figure and has its own, higher Living Wage of £8.30 which is recalculated annually by the GLA.

Brighton & Hove experiences higher living costs compared to many other parts of the UK, especially with regard to housing costs, and some key sectors of the local economy are based on low wage employment. Lower-paid employees in the city therefore face even greater pressure to meet living costs on current wages than those in other parts of the country.

Shelter's index of housing affordability reflects this position, showing that the ratio of housing costs to pay is 50% higher in Brighton & Hove than the UK average and substantially higher even than in some London boroughs.

The living wage figure calculated for Brighton & Hove has therefore come out higher than the national rate at either £7.47 or £8.31 depending on the assumptions made about accommodation. The £8.31 figure is generated using the assumption of a single person living in self contained accommodation<sup>3</sup>. A more modest accommodation assumption of a single person renting a room in a shared house<sup>4</sup> produces the figure of £7.47.

Though this might suggest that a unique figure is needed for Brighton & Hove, other considerations need to be taken into account. To introduce a higher living wage rate in a single area could be prohibitive to its initial success, particularly given the current economic climate and in a city where there is an overall lower wage base.

The Living Wage Foundation supports the merits of a single national rate for the living wage, despite such regional variation. This is primarily due to clarity and consistency of a single campaign for public and employers. Furthermore, a number of large employers in a local area (for example supermarkets or other large retailers) employ people nationally and may be reluctant to sign up to different local campaigns.

It is considered therefore, with the support of the independent consultant and the Living Wage Foundation, that the current national figure of £7.20 should at this time be adopted as a minimum living wage for Brighton & Hove. This level should be seen as a minimum living wage level and a first step towards a potentially higher figure that fully reflects the costs of living in Brighton and Hove.

The figure of £7.20 will be challenging for many employers but it is hoped that following the increases in the national minimum wage this will be more manageable, as the gap would be less than a pound.

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<sup>2</sup> Donald Hirsch is an independent consultant working at Loughborough University responsible for calculating the minimum income standard for the UK on which the national living wage is based

<sup>3</sup> This is the same accommodation assumption used for calculating the national living wage figure.

<sup>4</sup> This is the same accommodation assumption used for calculating the London living wage figure.

The Living Wage Foundation's accreditation framework does not currently cover apprenticeships and interns. In addition, unlike the National Minimum Wage, the Living Wage does not take age into account.

It was decided by the Commission that for purposes of clarity and consistency with the national Living Wage approach, apprentices and interns would not be included at this stage in a local Living Wage campaign and there would be no differentiation in pay depending on age. The Commission does however, strongly support fair and equitable remuneration for interns and apprenticeships.

## **5. Sector Wage Markets and the Living Wage**

The broad distribution of pay in Brighton & Hove has been analysed using data from the national Annual Survey of Hours and Earnings. This national, large sample survey collects information on wages from approximately 1000 workers in Brighton & Hove. Of these, 18% of people across all employment sectors earn below the national Living Wage figure, £7.20 an hour.

Relatively few public sector jobs in the city are paid below £7.20, but over one in four private sector jobs are paid below £7.20. This is slightly better than the national picture for the public sector but slightly worse for the private sector (nationally 8% and 26% respectively, compared to 5% and 29% in Brighton and Hove<sup>5</sup>).

The majority of the main coordinating bodies and well known charities in the community and voluntary sector also pay above £7.20. However, there is more of an issue with low pay in those third sector organisations who provide large contracts for public sector organisations.

In the tourism and retail sectors, both of which are major contributors to the city's economy, half of all jobs are paid below £7.20. The majority of jobs in unskilled ('elementary') occupations and in sales and customer services occupations, of which there are many in the city, are also below £7.20.

The considerable number of low-paid jobs in Brighton & Hove reflects the fact that the local labour market has 'hollowed out' more than elsewhere in the UK. Recently there has been a decline in certain medium paid jobs such as administrative and secretarial work, and growth in both the lower and higher ends of the pay spectrum.

The principle of a Living Wage for Brighton & Hove therefore would aim to counter the impact of low wages on the disproportionate number of people at the lower end of the employment market in a city where living costs are also disproportionately high.

## **6. Business Feedback**

The Commission recognised the challenge of a Living Wage for private businesses in the current economic climate, and therefore sought the views of different business sectors throughout the city.

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<sup>5</sup> Source: [Resolution Foundation](#)

Various approaches were taken to elicit the views of businesses:

- Direct feedback via members of the Commission that represent the business community, including representatives of the Economic Partnership, the Hotel Association, the Chamber of Commerce
- An on-line survey promoted through a range of means
- A 'Business Breakfast' on 07 February 2012 hosted by Julia Chanteray and Cllr. Bill Randall, Leader of Brighton & Hove City Council with key business stakeholders in the city
- A Chamber of Commerce 'Big Debate' on 28 February 2012, at which the membership debated the motion that, 'this house believes a voluntary living wage of £7.20 p/hr would be good for business in Brighton and Hove'.

From the responses to the above, a number of key points have been identified as follows:

**Pros:**

- Moral responsibility to help lift some of the 22% of children in Brighton & Hove out of poverty and out of the 'benefits trap'
- Opportunity to up-skill workforce through increase in staff retention, loyalty and motivation
- Identifies Brighton & Hove as a leading city that treats people fairly
- Brand can be used to attract, motivate and retain people and companies within the city by offering more competitive wages at the lower level
- Improved health and lower crime rates
- More 'sticky money' – the money employees at the lower end of the pay spectrum would receive was more likely to stay and be spent in the local economy
- Opportunity to support small and medium businesses to maximise their profits to meet the cost of introducing a living wage
- Ethical business choices are a good marketing tool
- Poorly paid, unmotivated front-line staff costs businesses money
- Greater equality by reducing the gap between lowest and highest paid workers

**Cons:**

- Unachievable in the present financial climate, for example, many small business owners already using their capital to pay themselves a salary, so an increase in the wage bill is unsustainable
- Risk that a living wage will potentially reduce the number of jobs companies can offer
- Risk of 'eroding' the salaries of higher paid staff
- Reduce money available for non-core staff activities
- Reduce number of apprenticeships offered in the city if business thought they had to pay an apprentice the same as a graduate
- Stigmatise companies who cannot afford to pay a living wage
- Produce an uneven playing field if larger companies don't 'buy in' to the scheme and they are able to offer more competitive rates for example, cost of room in a hotel
- Unnecessary expense, many businesses can get the staff they need at current market rates below the living wage.

- Doesn't recognise the additional benefits that employers provide that supplement low wages. These can range from staff receiving the automatic service charges on meals in restaurants, meals for hotel staff, health care and pension contributions from larger employers.

On balance, the level of support among business for a living wage in the city was greater than the opposition. This was overwhelmingly the case in the final 'vote' in favour of a living wage at the Chamber of Commerce debate.

However, it is recognised that there is a need for practical help and advice for businesses if this support for a living wage is to translate into a real increase in low-end salaries. This is particularly the case for small and medium enterprises, and some other sectors with lower profit margins. Furthermore, that a flexible approach to apprenticeships and interns should be maintained to make sure that the number of these opportunities is not diminished.

## **7. Community and Voluntary Sector Feedback**

The Community & Voluntary Sector Forum carried out a short survey of the larger organisations within its membership. Overall, the pay position was favourable with the majority of staff in the larger organisations paid the living wage or above. Those organisations that didn't pay the living wage were those deemed to be in more direct competition with the private sector, for example providing transport or caring services.

Two key issues for the Sector were being able to quantify the added value that a community and voluntary organisation can offer when delivering a public service contract, which would offset the potentially higher cost of paying a living wage. Secondly, annual funding arrangements which made long term strategic business planning, including whether or not to pay a living wage, very difficult.

## **8. Public Sector Procurement**

Whilst the lower end of public sector pay in the city is, on the whole, in line with the national living wage there is a significant issue of low wages for staff employed by contractors to public sector organisations, for example cleaning staff. However with significant year-on-year funding reductions the public sector faces a significant challenge in securing value for money contracts that pay reasonable wages without risking service quality through contractors making 'savings' elsewhere in the contract. Moreover it is unlawful for public bodies to make it a mandatory requirement for a supplier to agree to pay a living wage.

Nevertheless, due consideration can be given at tender evaluation stage to suppliers' attitudes to fair employment clauses, including a living wage, within the parameters of the public organisation's duty to tax payers and obtaining best value. Thus, there is scope for taking a phased approach to reviewing minimum salaries within public sector contracts as and when contracts come up for renewal and for requesting as mandatory that suppliers submit two bids, one paying a living wage and one not paying a living wage. This approach is being implemented in some other local authority areas, Lewisham Borough Council being a leading example.

The Commission considers further work on procurement will be essential in order to successfully take forward the Living Wage in Brighton & Hove. In line with the suggested ongoing development arrangements set out in section 10 below, the Public Service Board will be asked to facilitate opportunities to share learning and help develop approaches that support the Living Wage. As part of this work the Board will be asked to establish arrangements to track and monitor the successful inclusion of the Living Wage in procurement activity.

## **9. Living in Poverty in Brighton & Hove**

The Brighton & Hove child poverty needs assessment<sup>6</sup> shows that 22% of all children and young people in the city, which equates to ten and a half thousand children and young people, are living in families whose income falls below the official poverty threshold.

Roughly one quarter of these children in poverty live in families where one or more parents work. This is roughly in line with the national picture, and is calculated from data supplied by HMRC on benefit claims submitted by working parents.

It can be assumed that the actual picture of working poverty in the city is greater, due to some parents not claiming working benefits to which they are entitled. To what extent this is the case is difficult to say; one study in 2010 estimated working poverty in the UK to have overtaken out of work poverty.

East Brighton and Moulsecoomb & Bevendean experience the greatest concentration of family poverty, whether or not parents are working. However figures show that there are other wards in the city, such as Patcham and Goldsmid, where out of work poverty is relatively low but, by contrast, working poverty is a higher percentage of total poverty.

The local child poverty strategy found that low wages, high living costs and the high cost of private sector housing are considered the biggest drivers of poverty in the city. There is a clear message from professionals and families that the city is becoming an increasingly unaffordable place for many.

The large majority of children living in poverty in Brighton & Hove live in lone parent families. For these families in particular there are major barriers to entering into employment, such as low paid and non-secure jobs, inflexibility of working hours and the cost of childcare among other factors.

For some parents, particularly those looking to return to work after raising children, the overall loss in benefits on entering employment can make it more difficult to meet living costs. Once the current changes to benefit entitlement are introduced there is concern that while more people will have to enter work, where jobs are available, working poverty will inevitably increase as a result.

In Brighton & Hove it is increasingly difficult for parents to compete with single young people in the low pay sector in a city with high housing costs and high costs of living. As a result, more families may make the difficult decision to leave their home in order to achieve a minimum standard of living elsewhere.

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<sup>6</sup> Brighton & Hove Child Poverty Needs Assessment available through Brighton and Hove's (on-line) Information Service (BHLIS) at <http://www.bhlis.org/>

If this does become the case there is the potential to reduce the local workforce in a range of services, such as health and care sectors, which are traditionally populated by part time working mothers.

## **10. Developing and Monitoring Brighton & Hove's Living Wage**

Experience nationally and in other areas around the country is that a focused campaign is required in order to progress the successful take up of a Living Wage. It is therefore proposed that a local campaign is developed to raise awareness and promote the benefits of a living wage.

The campaign will need to include the provision of practical business assistance, including support and further work with the retail, hospitality and wider tourism sectors. Other elements could include the development a local 'kitemark' scheme and potential opportunities to link in with the national living wage campaign and accreditation scheme. The use of case studies and local successes such as the Ammex Stadium and its hospitality work would also be important.

Ongoing leadership and partnership coordination will be required in order to support the campaign and the future development of Brighton & Hove's Living wage. The City's overarching joint working forum is Brighton & Hove's Strategic Partnership, which is attended by representatives from the public, private and community and voluntary sector. Subject to formal agreement the Partnership and its executive arm, the Public Service Board, are well placed to provide this leadership and long term development function. This work would need to include revising the success of the campaign over a two year period and agreeing, at a city partnership level, further changes to the living wage level as appropriate.

As set out in section 8 above, the Public Service Board is well placed to facilitate opportunities to share learning and help develop approaches that support the Living Wage through procurement. As part of this work the Board will be asked to establish monitoring arrangements to track and monitor the successful inclusion of the Living Wage in procurement activity.

## **11. Conclusions and Recommendations**

The following recommendations form the conclusions of the Commission based on the evidence presented:

1. Adopt the national living wage figure of £7.20 as a minimum living wage for Brighton & Hove.
2. A campaign be developed to raise awareness and promote the benefits of a living wage for businesses, including providing practical business support, developing a local 'kitemark' scheme and linking in with the national living wage campaign and the accreditation scheme. The campaign to include support and further work with retail, hospitality and wider tourism sectors.
3. The City's overarching cross sector working forums, the Brighton & Hove Strategic Partnership and the Public Service Board to formally endorse £7.20 as a living wage for the city, to take responsibility for overseeing the campaign and for the long-term

promotion and development of a living wage for the city. This work to include revising the success of the campaign over a two year period and agreeing further changes to the living wage level as appropriate.

4. Brighton & Hove City Council, within its procurement process, to trial requesting contractors to submit a living wage and a non living wage bid as mandatory. With partners the council will share learning and help develop approaches to include the Living Wage in the procurement work of other public bodies in the city.
5. Brighton & Hove City Council to lead by example in the public sector and, as part of this, explore the possibility of gaining formal accreditation as a Living Wage employer from the Living Wage Foundation.
6. Community & Voluntary Sector Forum to lead by example in the third sector and, as part of this, explore the possibility of gaining formal accreditation as a Living Wage Employer from the Living Wage Foundation.
7. Embed the principle and promotion of the living wage in all new city strategic plans, strategies and programmes, in particular the city's new economic development strategy.

## **12. Further Information**

Full details of the Commission, including minutes of meetings and evidence presented, are available online at Brighton & Hove City Council's website <http://www.brighton-hove.gov.uk/index.cfm?request=b1162204>

If you wish to talk to someone about the Brighton & Hove Living Wage Commission please call Brighton & Hove City Council on (01273) 293944 or email [centralpolicy@brighton-hove.gov.uk](mailto:centralpolicy@brighton-hove.gov.uk)



<b>Subject:</b>	<b>Draft City Plan Part 1</b>		
<b>Date of Meeting:</b>	<b>10 May 2012</b>		
<b>Report of:</b>	<b>Strategic Director- Place</b>		
<b>Lead Member:</b>	<b>Cabinet Member for Planning, Employment, Economic Development and Regeneration</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Helen Gregory</b>	<b>Tel: 29-2293</b>
	<b>Email:</b>	<b>Helen.gregory@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No: 27276</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report seeks approval of the draft City Plan Part 1, part of Brighton & Hove's Local Development Framework, along with its annexes and supporting documents, for an eight week period of stakeholder and public consultation during May to July 2012. Appendix 1 provides a summary of how the policies in the Core Strategy have been amended/ changed and the full copy of the City Plan part 1 has been placed in the Member's Rooms.
- 1.2 The City Plan will be an important tool for attracting and directing investment in the city. It will provide an imperative for delivering much needed affordable homes and for encouraging the most sustainable forms of development with the highest quality of design. The City Plan will provide the strategic planning framework to guide the preparation of neighbourhood plans and will allow issues of local importance to be addressed appropriately and innovatively.
- 1.3 Five additional/ update studies have been completed which provide further background and supporting information for the City Plan Part 1. Appendix 3 provides an outline of the purpose of the studies and a summary of the key findings.

**2. RECOMMENDATIONS:**

- 2.1 That Cabinet notes the nature of representations made to the City Plan Policy Options Paper undertaken October - December 2011 and the officer responses to address these representations (summarised in Appendix 2 with a full schedule attached to the Statement of Consultation placed in the Members' Rooms).
- 2.2 That Cabinet approves the recommendation to publish the Draft City Plan Part 1 and supporting annexes (the Implementation and Monitoring Plan, Infrastructure Delivery Plan and Housing Implementation Strategy), the Sustainability Appraisal, the Schedule of Proposal Map Changes, Supporting Evidence Document and Statement of Consultation for an eight week period of stakeholder and public consultation between 28 May and 20 July 2012, subject to any minor

grammatical or editorial alterations that may be made by the Strategic Director, Place.

- 2.2 That Cabinet approves the following studies: Affordable Housing Viability Study Update (April 2012), Housing Requirements Study – Supplementary Papers (Brighton & Hove)(March 2012), Viability Testing – Strategic Sites (2011), Appropriate Assessment and Sequential and Exceptions Test (2012) as supporting evidence for the City Plan and further Local Development Documents.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 In July 2011, Council agreed to withdraw the Core Strategy to allow it to be updated and amended. This was agreed by the Secretary of State and the Core Strategy was withdrawn in September 2011. The need to amend the document arose from soundness issues raised at an Exploratory Meeting with the appointed Planning Inspector in May 2010. This concerned the housing delivery strategy in the submitted document and the government's subsequent proposed removal of regional housing targets.

- 3.2 The need to update the document also arose from the number of significant changes that have happened since the Core Strategy was submitted to the Secretary of State two years ago. These include:

- the Localism Act;
- the recently published National Planning Policy Framework;
- reduced availability of government funding for capital projects, and;
- the completion of a number of updated background studies and other changes required to bring the Core Strategy up to date.

Reflecting these changes will help to secure an effective, up to date and sound document.

- 3.3 In September 2011, Cabinet agreed a new work programme to prepare the City Plan to replace the withdrawn Core Strategy. Consultation on four policy areas of the Plan where significant change was required (housing delivery, employment policies, transport – park and ride and student accommodation) was undertaken between 17 October and 2 December 2011 and the responses have informed the drafting of the City Plan. The Options Papers set out the policy options for each policy area needing to be addressed and the council's preferred option, giving consultees the opportunity to express a preference.

- 3.4 It is important that the council has an up-to date plan which sets out a strategy for accommodating housing and employment needs with other essential uses (such as, retail, health and education facilities and other community and leisure facilities) and the need to respect the historic, built and natural environment of the city. The National Planning Policy Framework (NPPF) was published 27 March and replaces all government planning policy statements. It should be noted that as the City Plan moves closer to adoption, the greater the weight that may be given to the draft policies contained within the City Plan depending on their compliance with the NPPF and level of support. Until the adoption of the City Plan the Brighton & Hove Local Plan will remain a material consideration weighed against the policies contained within the NPPF.

- 3.5 It is recommended that the draft City Plan Part 1 and supporting documents be published for public consultation for eight weeks between 28 May and 20 July 2012. Comments received during this time will inform the content of the Council's final version of the City Plan Part 1 that is due to go to full Council in December 2012. It will then be submitted to the Secretary of State for examination following a further six week period of consultation on soundness issues.

### **Draft City Plan Part 1**

- 3.6 The replacement of the Core Strategy with the City Plan Part 1 has allowed the following overarching changes to be made:
- Restructuring the layout of the Plan (vision and objectives and city wide policies) around four themes: A strong and prosperous city, a sustainable city, an attractive city and balanced and healthy communities (influenced by the themes within the Sustainability Community Strategy and the Corporate Plan) ;
  - Additional strategic development sites have been allocated within the eight broad Development Areas along with the allocation of employment sites reflecting the outcomes of the Employment Policy Options Paper consultation;
  - Updating how the plan will be implemented and monitored - Annexe 1 Implementation and Monitoring Plan;
  - Updating the infrastructure requirements for the city up to 2030 and how these will be addressed - Annexe 2 Infrastructure and Delivery Plan
  - Preparing a Housing Implementation Strategy (Annexe 3) which describes the approach to managing the delivery of housing over the plan period and sets out how a five year supply of housing will be maintained to meet the planned housing target.

A summary of these annexes are attached at Appendix 4 of this report and the full versions have been placed the Members' Rooms. The City Plan Part 2 will contain site allocations and the remaining development management policies.

- 3.7 The Plan has also been amended to reflect the outcomes of the Policy Options Consultation for the four policy areas where significant change to the plan was required – employment policy, housing delivery, transport (park and ride) and student accommodation. Consultation involved:
- Making the consultation papers available at the city libraries and citydirect offices and on the council's website.
  - Along with press articles, over 700 people were made aware of the consultation papers via email or letter.
  - A number of specific events including a stakeholder event (with representatives of community and amenity groups, businesses and transport providers), a bespoke event organised by the Brighton and Hove Economic Partnership, and a Sustainability Working Group (a sub-group of the Sustainability Partnership). Over 120 people attended these events.
  - The consultation papers were also discussed at six partnership meetings. Alongside a range of comments noted from structured discussions at the events, 77 formal written responses were received. Further detail is set out in the Statement of Consultation placed in the Members' Rooms which includes a

full schedule of the consultation responses and officer responses to these. A summary is attached at Appendix 2.

- 3.8 The responses to the Employment Options Paper both at events and through the formal written responses were generally supportive of the preferred options, in particular from the City Employment and Skills Steering Group and the Brighton & Hove Economic Partnership. Where concerns or objections were expressed these were largely from individual developers/ land owners who wished to see greater flexibility within employment policies and allocations. As a result 10 City Plan policies (SA2 Central Brighton, Development Areas 2-8 including office development for Toads Hole Valley, CP2 Sustainable Economic Development and CP3 Employment Land) have been revised to reflect the preferred options but with some limited flexibility included where appropriate.
- 3.9 There was overarching support for the preferred housing target of 11,200 homes set out Housing Options Paper at events and through formal responses. There was also support at the events (such as the stakeholder event, the City Employment & Skills Steering Group and at the Sustainability Working Group) and through the formal responses for the inclusion of Toads Hole Valley in the City Plan. Indeed respondents felt that development should make the best use of the site and be ambitious in terms of gains for the city. The Housing Delivery policy (CP1) has been amended accordingly and Toads Hole Valley has been included in the City Plan as a Development Area for mixed use development.
- 3.10 There was a mixed response to the Transport Options Paper on the future of Park and Ride. More respondents supported the option to retain Park and Ride as a criteria-based policy, than agreed with the preferred option to remove Park and Ride from the policy. The key concern of a number of respondents, including the business community, was the lack of detail in the Paper on the alternatives managing car journeys into the city. In response, CP9 Sustainable Transport Policy has been amended to provide more detail on transport measures to manage journeys within the city alongside measure to intercept cars entering the city (promoting and facilitating better use of existing periphery car parks to transfer journeys onto buses and working with train companies to promote transfer of more car journeys onto rail).
- 3.11 The responses to the Student Accommodation Options Paper at events and through formal responses supported the need to include a policy in the City Plan regarding Student Accommodation. This policy will address the control of the concentration of Homes in Multiple Occupation (HMOs) through the use of an Article Four Direction (which has been agreed at the 15 March Cabinet 2012) and set out a criteria based policy for assessing sites for new purpose built student accommodation along with identifying specific suitable sites.
- 3.12 Other areas of change and general amendments and updates to the City Plan are detailed in Appendix 1 of this report. For example, a number of policies have been amended to reflect:
- Changed government legislation for example SA6 Sustainable Neighbourhoods reflects the introduction of Neighbourhood Plans by the Localism Act but also the council's commitment to developing new ways of working with communities. CP22 Traveller Accommodation reflects new government guidance on meeting traveller accommodation needs.

- Findings of updated background studies for example DA8 Shoreham Harbour has been revised to reflect the current position regarding its regeneration potential and development capacity and CP20 Affordable Housing policies has been revised following the findings of the updated Affordable Housing Viability Study.
- The establishment of the National Park Planning Authority who will prepare their own development plan which will cover the areas of Brighton & Hove that fall within the National Park and will not now be addressed by the City Plan (SA5 South Downs).

### **City Plan Supporting Documents**

- 3.14 **Sustainability Appraisal** - The aim of the City Plan is to deliver sustainable development of the city in accessible locations and to help create cohesive and sustainable communities. The Sustainability Appraisal tests the extent to which the City Plan meets identified sustainable development principles. This is a separate independent document produced alongside the City Plan, which critically examines its objectives and options and tests them against the principles of sustainable development. As a result, the SA has led to a series of amendments to the City Plan policies. Copies of the full Sustainability Appraisal and a non-technical summary of the Sustainability Appraisal have been made available in the Member's rooms.
- 3.16 **Statement of Consultation** - sets out the consultation undertaken on the four Policy Options Papers and the officer responses and recommendations to these representations received.
- 3.17 **Schedule of Changes to the Proposals Map** - contains proposed changes to the Adopted Proposals Map which will be made when the City Plan Part 1 is adopted and reflects strategic allocations, employment sites as well as any new or amended designations detailed in the City Plan Part 1.
- 3.18 **Supporting Evidence Documents** - lists and provides a brief summary of key background studies, strategies and plans that have informed the formulation of policies within the City Plan.

### **Supporting Background Studies**

- 3.17 This report also seeks approval of five studies that provide background and supporting evidence for the City Plan and further Local Development Documents. Although background studies inform the policy approach they do not determine policy:
- **Affordable Housing Viability Study Update (April 2012)** - Within the overall requirement for housing across the City, the demand for affordable housing is a major issue. The study re-assesses the (financial) capacity of residential development in the City to deliver affordable housing without viability being unduly affected based on an updated review of circumstances.
  - **Housing Requirements Study – Supplementary Papers (Brighton & Hove)(March 2012)** - The documents consider the demographic implications of the proposed housing trajectory in the City Plan and the implications of demographic change on demand for homes in Brighton & Hove.

- **Viability Testing – Strategic Sites (2011)** - the purpose of the Assessment is to look at the financial viability of a number of strategic site allocations in the City Plan to ensure the allocations will be viable and deliverable during the life of the Plan.
- **Appropriate Assessment (2012)** – Updated assessment following changes to the City Plan. The aim of the assessment is to evaluate the ecological impact of the policies of the proposed City Plan Part 1 to ensure that it does not have an adverse effect on any European or Ramsar wildlife sites.
- **Sequential and Exceptions Test (2012)** – updated following the 2011 Strategic Flood Risk Assessment and to reflect changes to the City Plan. The document sets out the sequential tests regarding flood risk related to the 8 Development Areas identified in the City Plan, following the steps outlined in government guidance regarding flood risk.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 A Statement of Consultation has been prepared which details the consultation that was undertaken on the Policy Options Paper, the consultation responses received through formal written responses and at the various consultation events and officer responses to address these representations.
- 4.1 The Cross-Party Working Group on the City Plan met 8 March and were advised of the outcomes of the Policy Options Consultation and proposed changes to be made to the plan as a result of the Policy Options Paper Consultation. They were also made aware of other changes required to bring the Plan up to date and to conform with the National Planning Policy Framework.
- 4.2 Consultation on the Draft City Plan will accord with the approach and standards set out in the council's adopted Statement of Community Involvement and take into account the Community Engagement Framework (the city council's policy for involving people, communities and stakeholders in preparing plans). Due to the delays in the publication of the final National Planning Policy Framework the consultation period has had to be reduced to eight weeks rather than the twelve week requirement set out in the Community Engagement Framework.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 There are no Capital Expenditure implications. The costs of preparation and consultation for the City Plan will be met from within the existing Planning Strategy and Projects revenue budget.

Finance Officer Consulted: Karen Brookshaw Date: 18/04/12

##### Legal Implications:

- 5.2 The draft City Plan will update and amend the withdrawn Core Strategy which is one of a series planning documents introduced under the Planning and Compulsory Purchase Act 2004. Once adopted the City Plan will be the development plan for the city against which planning applications will be assessed. Procedural requirements for drafting and adopting such documents

are contained in the Town and Country Planning (Local Planning) (England) Regulations 2012 and the consultation proposed will be carried out under Regulation 18 of the aforesaid Regulations.

- 5.3 It is not considered that any adverse human rights implications arise from the Report.

Lawyer Consulted: Hilary Woodward Date: 18/04/12

Equalities Implications:

- 5.4 An Equalities and Health Impact Assessment was undertaken on a previous version of the Plan (the Submitted Core Strategy) and an updated assessment will be carried out to accompany the final version of the City Plan Part 1.

Sustainability Implications:

- 5.5 A statutory Sustainability Appraisal has been produced to inform the preparation of the City Plan Part 1.

Crime & Disorder Implications:

- 5.6 The City Plan Part 1 addresses crime and disorder through development areas, special area policies and a number of citywide policies.

Risk and Opportunity Management Implications:

- 5.7 Consulting on the draft City Plan will help ensure a sound development plan can be justified and should ensure that there are fewer objections to the plan, or issues arising at the publication stage. A Cross Party Working Group has been established to enable preparation of the City Plan to be discussed at an early stage therefore reducing uncertainty when key decisions are made.

Public Health Implications:

- 5.8 The draft City Plan addresses health inequalities and the healthy planning agenda through a city wide healthy city policy. A previous version of the Core Strategy was subject to an Equality and Health Impact Assessment as will the final version of the City Plan.

Corporate / Citywide Implications:

- 5.9 The City Plan will be a significant factor in steering development in the city for the next 20 years. It will contribute to delivering the Corporate Plan and plans and strategies across the city council directorates, along with the Sustainable Community Strategy. It will also help to deliver city-wide strategies of public and voluntary sector partners.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The process of preparing the City Plan is to test alternative options for accommodating growth and development in the city to 2030. This testing includes consultation, a robust evidence base and a Sustainability Appraisal.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To progress the preparation of the City Plan to ensure the council has an up to date strategic planning framework for the city to replace the current Local Plan. Cabinet approval is needed to publish a revised Plan for consultation.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Summary of Main Changes to the City Plan
2. Summary of Representations to the Policy Options Paper
3. Summary of Background Studies
4. Summary of City Plan Annexes

#### **Documents in Members' Rooms**

1. Draft City Plan Part 1
2. Annex 1 Implementation and Monitoring
3. Annex 2 Infrastructure Delivery Plan
4. Annex 3 Housing Implementation Strategy
5. Sustainability Appraisal of Draft City Plan and Non-technical summary
6. Statement of Consultation
7. Schedule of Proposed Changes to the Proposals Map
8. Supporting Evidence Document
9. Affordable Housing Viability Study Update (April 2012),
10. Housing Requirements Study – Supplementary Papers (Brighton & Hove)(March 2012),
11. Viability Testing – Strategic Sites (2011)
12. Appropriate Assessment (2012)
13. Sequential and Exceptions Test (2012)

#### **Background Documents**

1. Cabinet 13 October 2011 – Consultation on Policy Options Papers for the New City Wide Plan
2. National Planning Policy Framework



## Appendix 1 - City Plan: Schedule of City Plan Amendments

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
Part 1 – vision and objectives	<p>Amend and restructure Part 1 of City Plan:</p> <ul style="list-style-type: none"> <li>• Part 1 – Introduction and overview to include profile of city. updates</li> <li>• Part 2 - Include Vision and Objectives in a new section to include spatial strategy. Vision and Objectives to be ordered under the following proposed sub-headings:  <b>A strong and prosperous City</b>  <b>A sustainable City</b>  <b>An Attractive City</b>  <b>Balanced and Healthy communities</b></li> <li>• Include reference to One Planet Living framework and Biosphere reserve as part of a local definition of sustainable development / creating a more sustainable city</li> <li>• Spatial Strategy – revised.</li> <li>• Editorial changes, updated references and end date of document to 2030</li> </ul>	Redrafting the city plan with sustainability at its centre,	Introduction and Overview – Profile of the City Vision, objectives and spatial strategy
Key diagram and Proposal Map changes	Changes arising from policy changes, new allocations and minor amendments. Proposals Map Changes include: Changes to the built up area boundary	.	Key Diagram Proposals Map changes in a separate

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
	Add strategic allocations Amend employment allocations Show open spaces		schedule
Maps of Development Areas and Special Areas	Maps to be included in draft City Plan Part 1		Maps with each area policy within Plan
<b>Development Areas</b>			
DA1 Brighton Centre and Churchill Square Area	<ul style="list-style-type: none"> <li>Minor updates; retail study update and project update</li> </ul>	<p>Invest in the current building to reduce its carbon footprint through improved environmental management and through plans we draw up for its future.</p> <p>A fair balance between the needs of pedestrians, cyclists, public transport users and motorists.</p> <p>Air quality improvements</p>	Unchanged
DA2 Brighton Marina, Gas Work and Black Rock Area	<ul style="list-style-type: none"> <li>Inclusion of Black Rock and Gas Work Sites as strategic allocations</li> <li>Update amounts of development (Inner Harbour allocation indicated as minimum 1,000 units)</li> </ul>	<p>Increase in the supply of ready to develop housing sites.</p> <p>A fair balance between the needs of pedestrians, cyclists,</p>	Unchanged

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
DA3 Lewes Road Area	<ul style="list-style-type: none"> <li>• Reflect the Lewes Road (Preston Barracks and University of Brighton) Planning Brief in amounts and type of development (inclusion of student housing) and inclusion of University sites in the Preston Barracks strategic allocation.</li> <li>• New strategic allocations - Woollards Field and Falmer retained Land.</li> <li>• Delete Community Stadium allocation and reference to delivery of Falmer Academy as both completed</li> <li>• Potential boundary changes to built up boundary in relation to University of Sussex expansion plans for teaching and student accommodation space at campus/</li> </ul>	<p>public transport users and motorists.</p> <p>Stronger links between the council, two universities and teaching hospital.</p> <p>Focus on supporting and growing the city sectors and clusters.</p> <p>Decent affordable healthy housing.</p> <p>Increase in the supply of ready to develop housing sites.</p> <p>A fair balance between the needs of pedestrians, cyclists, public transport users and motorists.</p> <p>Air quality improvements</p>	Unchanged
DA4 New England Quarter and London Road Area	<p>In response to Employment Policy Options Paper consultation:</p> <ul style="list-style-type: none"> <li>• Identification of a number of sites and extant planning permissions for new office</li> </ul>	<p>Focus on supporting and growing the city sectors and clusters.</p>	Unchanged

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
	<p>development.</p> <ul style="list-style-type: none"> <li>• Housing delivery increased to 1,140.</li> <li>• New strategic allocation - New England House identifying role as creative/ digital media hub</li> <li>• Revision of quantum of office space to be retained at Anston House from 5,000 to 3,000 sq m to reflect viability study findings.</li> </ul>	<p>Decent affordable healthy housing.</p> <p>Increase in the supply of ready to develop housing sites.</p> <p>A fair balance between the needs of pedestrians, cyclists, public transport users and motorists.</p> <p>Air quality improvements</p>	
DA5 Eastern Road and Edward Street Area	<ul style="list-style-type: none"> <li>• Updated floorspace for RSCH development to 74,000 sq m to reflect recent consent</li> <li>• New Strategic allocation – Circus Street – amounts of development reflect recent proposals and inclusion of student housing.</li> <li>• New strategic allocation - Mixed use redevelopment Freshfield Road Industrial Estate and Gala Bingo Hall site</li> <li>• Move reference to transport feasibility study</li> </ul>	<p>Contribute to a healthier city and Reduce health inequalities.</p> <p>Stronger links between the council, two universities and teaching hospital.</p> <p>Focus on supporting and growing the city sectors and clusters.</p> <p>Decent affordable healthy housing.</p>	Unchanged

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
		<p>Increase in the supply of ready to develop housing sites.</p> <p>A fair balance between the needs of pedestrians, cyclists, public transport users and motorists.</p> <p>Air quality improvements</p>	
DA6 Hove Station	<ul style="list-style-type: none"> <li>• Reduction in the amount of employment floorspace to be accommodated within area to 4,000 sq m as more realistic.</li> <li>• New Strategic Allocation - Conway Street Industrial Area and longer term aspiration for mixed use development</li> <li>• Revised employment allocation for Newtown Road excluding area to the north of Newtown Rd and to south of Goldstone Retail Park</li> <li>• Potential for mixed use employment and residential to north of Newtown Road but the continued protection of Newtown Road Industrial area to south to be set out in CP3 Employment Land.</li> <li>• Amend boundary of area to include PO sorting</li> </ul>	<p>Focus on supporting and growing the city sectors and clusters.</p> <p>Decent affordable healthy housing.</p> <p>Increase in the supply of ready to develop housing sites.</p> <p>A fair balance between the needs of pedestrians, cyclists, public transport users and motorists.</p>	Unchanged

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
new	<p>office site and Ethel Street Garages</p> <p>New Development Area to reflect:</p> <ul style="list-style-type: none"> <li>• minimum of 700 houses (family and affordable homes)</li> <li>• c.25 - 30,000 sq m employment floorspace</li> <li>• new secondary school</li> <li>• open space and biodiversity improvements (SNCI) and links to South Downs</li> <li>• Public open space</li> <li>• High standard of sustainability</li> <li>• Community facility</li> </ul>	<p>Air quality improvements</p> <p>Decent affordable healthy housing.</p> <p>Increase in the supply of ready to develop housing sites.</p> <p>Focus on supporting and growing the city sectors and clusters</p> <p>Protection and enhancement of the city's natural environment.</p> <p>Using own assets preserve and increase biodiversity, reinvigorating the Downland Initiative.</p>	DA7 Toads Hole Valley
DA7Shoreham Harbour	<p>Policy re-written to reflect new position:</p> <ul style="list-style-type: none"> <li>• 400 residential units and net gain in 7,500 sqm employment floorspace through intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces</li> <li>• Joint Area Action Plan</li> <li>• South Quayside/ Port; Aldrington Basin, North</li> </ul>	<p>Decent affordable healthy housing.</p> <p>Increase in the supply of ready to develop housing sites.</p> <p>Focus on supporting and</p>	DA8 Shoreham Harbour

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
	<p>Quayside/ South Porslade; Portslade and Southwick Beaches areas identified</p> <ul style="list-style-type: none"> <li>Reference to Environmental Technology cluster potential</li> </ul>	<p>growing the city sectors and clusters</p> <p>A fair balance between the needs of pedestrians, cyclists, public transport users and motorists.</p> <p>Air quality improvements</p>	
<b>Special Areas</b>			
SA1 Seafront	<ul style="list-style-type: none"> <li>Inclusion of new strategic allocation for King Alfred/RNR site – replacement of facility along with 400 homes.</li> <li>Reinforce importance of Madeira Drive and Saltdean Lido</li> <li>Minor editorial changes and updates</li> </ul>	<p>Further emphasis on importance of the regeneration of Madeira Drive to create better public realm and important venue for city events.</p> <p>The city must adapt to the impacts of climate change- our position on the coast and the potential for flooding and coastal erosion means that homes, buildings and infrastructure require protection.</p> <p>A fair balance between the needs of pedestrians, cyclists,</p>	Unchanged

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
		public transport users and motorists.	
SA2 Central Brighton	<ul style="list-style-type: none"> <li>As a result of Employment Policy Options Paper consultation the inclusion of the need to protect offices within the Central Brighton Area unless test of redundancy met.</li> <li>General updates</li> </ul>	<p>Air quality improvements</p> <p>A strong and low carbon economy.</p> <p>Focus on supporting and growing the city sectors and clusters</p>	Unchanged
SA3 Valley Gardens	<ul style="list-style-type: none"> <li>Emphasis on the new public park</li> <li>Update to remove references to securing future of St Peter's Church</li> <li>Reflect corporate priority.</li> </ul>	<p>Appropriate licensing and managing night time economy.</p> <p>Create a new public park for the city centre through link together the green spaces and re-route the traffic in Valley Gardens.</p>	Unchanged
SA4 Urban Fringe	<ul style="list-style-type: none"> <li>Removal of contingency position of urban fringe with regards housing delivery</li> <li>Reference to Downland Initiative and Biosphere Reserve objectives</li> </ul>	<p>Protection and enhancement of the city's natural environment.</p> <p>Using own assets preserve and increase biodiversity, reinvigorating the Downland Initiative.</p>	Unchanged



Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
		Biosphere Reserve status Improvement in groundwater status	
SA5 The South Downs	<ul style="list-style-type: none"> <li>Clarification that City Plan policies apply only to administrative area of Brighton &amp; Hove not within the SDNP</li> <li>Eco-tourism reference</li> <li>Update references to the National Park and delegation agreement with the NPA and respecting setting of national park</li> </ul>	Protection and enhancement of the city's natural environment Work to become one of the UK's leading destinations for Eco-tourism.	Unchanged
SA6 Sustainable Neighbourhoods	Revision of section to reflect Neighbourhood Planning agenda: <ul style="list-style-type: none"> <li>Amend priorities to city wide aims and remove those considered suitable for local decisions (i.e. Neighbourhood Plans)</li> <li>Confirms support for neighbourhood plans</li> <li>General updates</li> </ul>	Holistic approach to tackling inequality Healthier and higher quality built environment. Widen local training and development programmes	Unchanged
<b>City Wide Policies</b>			
CP1 Sustainable Buildings	<ul style="list-style-type: none"> <li>Updated targets</li> <li>Revised standards beyond 2016 will be set in other DPD documents and/or a review of policy</li> </ul>	Healthier and higher quality built environment.	CP8 Sustainable Buildings

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
	<ul style="list-style-type: none"> <li>• Reference to food growing</li> <li>• Reference to undertaking a City Energy Study.</li> </ul>	<p>Produce the city's Climate Change Strategy for developing a low carbon city that is adapting well to climate change.</p> <p>One Planet Living framework</p>	
CP2 Urban Design	<ul style="list-style-type: none"> <li>• Minor updates</li> </ul>	<p>Healthier and higher quality built environment.</p> <p>Design and use of built environment is inclusive and reflects the needs and aspirations of minority groups.</p>	CP12 Urban Design
CP3 Public Streets and Spaces	<ul style="list-style-type: none"> <li>• Updates</li> <li>• Reference to significant spaces where public realm needed.</li> </ul>	<p>Healthier and higher quality built environment.</p> <p>Improve the quality and cleanliness of the public realm.</p> <p>New Road is a model of good practice, balancing the needs of different road users and becoming a community space and we will seek to make this happen in other parts of the city</p>	CP13 Public Streets and Spaces
CP4 Healthy	<ul style="list-style-type: none"> <li>• Minor updates</li> </ul>	<p>Healthier and higher quality built</p>	CP18 Healthy City

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
City		<p>environment.</p> <p>Ensure that major planning application do not have a negative impact on the health of citizens</p> <p>Contribute to a healthier city and Reduce health inequalities.</p> <p>Demand for allotments and benefits of 'growing your own', explore new community growing spaces.</p>	
CP5 Biodiversity	<ul style="list-style-type: none"> <li>• Update in line with updated SNCI and LBAP and reference to Biosphere Reserve principles</li> <li>• Add changes arising from the NPPF to reflect proposals for a nature improvement areas</li> </ul>	<p>Protection and enhancement of the city's natural environment.</p> <p>Achieving UN Biosphere reserve status</p> <p>Using own assets preserve and increase biodiversity, reinvigorating the Downland Initiative.</p>	CP10 Biodiversity

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
CP6 Open Space	<p>Update in accordance with findings of Open Space Study;</p> <ul style="list-style-type: none"> <li>• Retention of open space strengthened and exceptions criteria detailed;</li> <li>• Open Spaces to be shown on proposals map</li> <li>• Reference to food growing</li> </ul>	<p>Develop Biodiversity Action Plan</p> <p>Protection and enhancement of the city's natural environment</p> <p>Continue to ensure gardens, parks and squares are inclusive, safe, clean and support wildlife.</p> <p>Protect and make the most of all open space in the city, creating stronger link between the sea and the South Downs</p> <p>Demand for allotments and benefits of 'growing your own', explore new community growing spaces.</p>	CP16 Open Space
CP7 Sports Provision	<p>Update in accordance with findings of Open Space Study;</p> <ul style="list-style-type: none"> <li>• Retention of indoor and outdoor sports facilities strengthened and exceptions criteria detailed.</li> </ul>	<p>Capitalise on significant national and regional events such as 2012 Olympics and Paralympics Games to promote city and to encourage residents to get involved in cultural and leisure opportunities.</p> <p>A fair balance between the</p>	CP17 Sports Provision
CP8	As a response to the Transport (park and ride) policy		CP9 Sustainable

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
Sustainable Transport	<p>options paper, amendments to reflect:</p> <ul style="list-style-type: none"> <li>• More detail in policy on measures to reduce congestion and encourage non car use</li> <li>• Add references to One Planet Living and Low Emission Strategy</li> <li>• Proposal to replace formal Park + Ride with: <ul style="list-style-type: none"> <li>○ better use of peripheral car parks – encourage transfer to buses</li> <li>○ closer working with rail providers to encourage transfer to rail</li> </ul> </li> </ul>	<p>needs of pedestrians, cyclists, public transport users and motorists.</p> <p>Air quality improvements</p>	Transport
CP9 Infrastructure and Developer Contributions	<ul style="list-style-type: none"> <li>• Update policy in line with new legislation on Community Infrastructure Levy and political priorities</li> </ul>	<p>Decent, affordable, healthy housing</p> <p>Widen local training and development programmes</p>	CP7 Infrastructure and Developer Contributions
CP10 Managing Flood Risk	<ul style="list-style-type: none"> <li>• Update in line with updated SFRA (Shoreham Harbour Flood Risk Study).</li> <li>• Add reference to Surface Water Management Plan</li> </ul>	<p>The city must adapt to the impacts of climate change- our position on the coast and the potential for flooding and coastal erosion means that homes, buildings and infrastructure require protection.</p>	CP11 Flood Risk
CP11 Housing Delivery	<ul style="list-style-type: none"> <li>• Introduction of local housing target in response to Localism Act and abolition of Regional Spatial Strategies, Draft NPPF guidance.</li> </ul>	<p>Decent affordable healthy housing.</p>	CP1 Housing Delivery

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
	<ul style="list-style-type: none"> <li>• Slight increase to Preferred Housing Target set out in October Options Papers (updated SHLAA).</li> <li>• Need to address Duty to Cooperate.</li> <li>• Re-structure of policy in response to Inspector's comments.</li> <li>• Extend end date to Plan (2030)</li> <li>• Update figures in response to 2011 SHLAA update. Target 11,300</li> <li>• Introduce Housing Implementation Strategy as Annex 3 to City Plan.</li> </ul>	<p>Increase in the supply of ready to develop housing sites.</p>	
CP11A – Housing Mix	<p>Separate Housing Mix from Housing Delivery Policy:</p> <ul style="list-style-type: none"> <li>• Updated in line with findings from the Housing Requirements Study – Supplementary Papers (Brighton &amp; Hove)(March 2012)</li> </ul>	<p>Decent affordable healthy housing.</p>	CP19 Housing Mix
CP12 Affordable Housing	<ul style="list-style-type: none"> <li>• Revision in accordance with updated Viability Study, significant changes in funding regime for affordable housing and redefinition of affordable housing.</li> <li>• Remove numerical target for Affordable Housing</li> <li>• Sliding scale of Affordable Housing requirements:</li> </ul>	<p>Decent, affordable, healthy housing</p> <p>Work with our council housing tenants, housing associations and co-operatives starting our four year '1000 homes programme' to help address the</p>	CP20 Affordable Housing

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
	<ul style="list-style-type: none"> <li>○ 40% on 15+</li> <li>○ 30% on 10 – 14</li> <li>○ 20% on 5 – 9</li> <li>● Retain criteria for flexibility</li> <li>● Remove tenure split from policy</li> </ul>	city's affordable housing shortage.	
CP13 Housing Densities	<p>Removed references to minimum densities in national legislation; Update references</p> <ul style="list-style-type: none"> <li>● Update and revise in terms of Localism Act, published government guidance and NPPF.</li> <li>● Need to update needs assessment beyond 2016 acknowledged.</li> <li>● Outstanding provision to be met through site allocations in Part 2 of City Plan.</li> <li>● Opportunity to amend site search criteria in light of above, consultation responses and PTS site search exercise.</li> <li>● Reference to sites within National Park may need to be added.</li> </ul>	Decent, affordable, healthy housing	CP14 Housing Density
CP14 Gypsies Travellers, Travelling Show people	<ul style="list-style-type: none"> <li>● Update and revise in terms of Localism Act, published government guidance and NPPF.</li> <li>● Need to update needs assessment beyond 2016 acknowledged.</li> <li>● Outstanding provision to be met through site allocations in Part 2 of City Plan.</li> <li>● Opportunity to amend site search criteria in light of above, consultation responses and PTS site search exercise.</li> <li>● Reference to sites within National Park may need to be added.</li> </ul>	<p>Decent, affordable, healthy housing</p> <p>Reduce unauthorised encampments on sensitive sites by locating a new, permanent site for Gypsy and Roma Travellers.</p>	CP22 Traveller Accommodation
New Student Housing	<p>New policy. Wording reflects outcome of Student Housing Options Paper:</p> <ul style="list-style-type: none"> <li>● Threshold for new HMO in identified areas alongside Article 4 Direction</li> <li>● Identification of sites for new built student accommodation.</li> </ul>	Decent, affordable, healthy housing	CP21 Student Accommodation

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
CP15 Retail Provision	<ul style="list-style-type: none"> <li>Setting out the criteria for assessment of purpose built student accommodation proposals</li> <li>Update in relation to Retail Study findings with regards to quantitative need for retail development and updated health checks for retail centres.</li> <li>Update to reflect NPPF.</li> </ul>	<p>A strong and low carbon economy.</p> <p>Improve use of council assets, empty shops and offices, bringing them into use as workspace for small and medium sized businesses.</p> <p>Scrutiny Panel – Retail Sector</p>	CP4 Retail Provision
CP16a Planning for Sustainable Economic Development	<p>Separate economic strategy part from Employment Land Allocations:</p> <ul style="list-style-type: none"> <li>Update to reflect LEP</li> <li>Include reference to information communications technology</li> <li>Include reference to one planet living principles and low carbon economy</li> </ul>	<p>A strong and low carbon economy.</p> <p>Low carbon economy, capitalise on growing environmental industries and service sector and focus on supporting and growing the city sectors and clusters that support the UK transition to a low carbon future, including creative, digital and technological businesses.</p>	CP2 Sustainable Economic Development



Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
		<p>Develop a new economic strategy for the city that will deliver sustainable growth and job creation</p> <p>Take advantage of opportunities for real change such as the proposed Rampion offshore wind farm</p> <p>Widen local training and development programmes</p> <p>Press for the roll out of broadband for entire city.</p>	
CP16 b Employment Land	<p>In response to Employment Policy Options consultation this policy includes:</p> <ul style="list-style-type: none"> <li>• Hierarchy of employment sites allocated and protected for B1, B2 and B8 uses and those where employment led mixed use development allowed.</li> <li>• Limited flexibility appropriate uses on industrial sites</li> <li>• Protection of secondary employment sites</li> </ul>	<p>A strong and low carbon economy.</p> <p>Improve use of council assets, empty shops and offices, bringing them into use as workspace for small and medium sized businesses.</p>	CP3 Employment Land

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
CP17 Culture, Tourism and Heritage	<p>unless defined test of redundancy met.</p> <ul style="list-style-type: none"> <li>Strengthen the protection of cultural infrastructure for existing use or potential use and include the criteria to be applied to consider change of use.</li> <li>Update part 7 of CP17 and paragraph 3.134 to reflect changes in the NPPF with regard heritage assets.</li> </ul>	<p>Culture and leisure opportunities for all</p> <p>Promote and preserve our unique heritage sites and buildings</p> <p>Eco-tourism and role of South Downs National Park.</p> <p>Culture and leisure opportunities for all</p>	<p>CP5 Culture and Tourism</p> <p>CP15 Heritage</p>
CP18 Hotel/Guest Accommodation	<ul style="list-style-type: none"> <li>Reflect the concern on oversupply in hotel accommodation.</li> <li>Reflect NPPF but encourage impact assessment to be carried out for new hotel proposals within Central Brighton</li> <li>Test for loss of hotels required within updated hotel zone only.</li> <li>Remove requirement for staff accommodation (South East Plan requirement)</li> </ul>		CP6 Hotel and Guest Accommodation
Annex 1 - Implementation and Monitoring Tables	<ul style="list-style-type: none"> <li>Update in accordance with City Plan amendments.</li> <li>Update to accord with legislation (LAAs abolished)</li> </ul>		
Annexe 2 - Infrastructure	<ul style="list-style-type: none"> <li>Update in accordance with Comprehensive Spending Review and new priorities</li> </ul>		

Previous Policy Reference ( Core Strategy )	Summary of change	Delivery of Corporate Priority	New City Plan reference
Delivery Plan			
	New Annexe – Housing Implementation Strategy		



**Appendix 2 – City Plan: Summary of Consultation Responses**

**i) Summary of 77 Written Responses**

**HOUSING DELIVERY**

43 representations in total

Option	Respondents	Key issues
Option 1: 9, 800 homes	Support: 1 (2%) South Downs Society	Lowest growth option supported – least impact on the conservation and enhancement of the South Downs – and object to Toads Hole Valley inclusion.
Option 2: (Preferred Target) 11,200 homes  Including Toads Hole Valley Strategic Allocation.	Support: 22 (53%). 14 clear support; 8 partial support  BHEP, City Employment and Skills Steering Group, Brighton Housing Trust, Brighton & Hove Bus Company, Brighton Society, Hove Civic Society, Adur District Council; NCLA, Roedean Residents Association, CPRE, Kemp Town Society, Kingscliffe Society, JW Cook Estates Ltd & Pecla Investments, a number of individuals, City Sustainability Partnership.	<ul style="list-style-type: none"> <li>• Support for a balance between housing provision and opportunities for economic growth to ensure city does not become a dormitory settlement for other major employment locations (eg. Crawley, London).</li> <li>• Recognition that because the city is tightly constrained it cannot achieve the full extent of projected housing requirements.</li> <li>• Recognition of city's historic assets in terms of architecture and green spaces.</li> <li>• Need to explore wider geographic and economic functional area to help achieve this – through 'duty to cooperate'.</li> <li>• Development should be ambitious in terms of development standards and making best use of site at Toads Hole Valley. Could be scope for more housing.</li> <li>• Question amount of public space required at THV given proximity to National Park and adjacent accessible SNCI.</li> </ul>

Option	Respondents	Key issues
Options 3 and 4 13,500 - 15, 800 homes	3 representations clearly support Options 3 or 4 (7%) 1 implies support for Option 4 (2%)_  Hargreaves – Option 4 X Leisure – Option 3 National Grid Properties Ltd – Option 3 Mid Sussex DC – implies Option 4	<ul style="list-style-type: none"> <li>The City Plan should aim to meet housing requirements in full. Preferred Options approach is ‘constraints based’ and therefore flawed.</li> <li>The preferred option underestimates the capacity of the city’s urban sites, some sites could deliver more, eg. at Marina (Inner Harbour).</li> <li>Preferred option does not address how shortfall of requirements will be addressed through duty to cooperate.</li> </ul>
General Comments (some object to preferred option 2; others are general and state no alternative preference).	14 comments in total (33%)	<ul style="list-style-type: none"> <li>Welcome the recognition that higher housing numbers present particular challenges in terms of retention of green, amenity, habitats space (Natural England).</li> <li>Investment in water supply infrastructure will be planned for whatever housing option adopted. Some concerns regarding capacity of WWTW at Shoreham (Southern Water).</li> <li>Purpose built student accommodation offers a positive contribution to housing supply in Brighton; more purpose built student accommodation frees up housing for general market use (Unite Group Plc).</li> <li>If Toads Hole Valley is to be developed then it should be to the highest quality; support Biosphere bid; be zero and carbon and neutral in water impact; maximum use of site should be made (B&amp;H FoE).</li> <li>Lower quotas for housing; use redundant houses (Individual)</li> <li>Representations from Marine Gate Action Group - will continue to</li> </ul>

Option	Respondents	Key issues
		<p>resist the estimated output of 1,000 dwellings at Brighton Inner Harbour. Soundness concerns re. SHLAA with regard to capacity of Marina, Black Rock and Gas Works sites.</p> <ul style="list-style-type: none"> <li>• Would like to see more information on type, form of housing to be developed; criteria for new housing will vary with locations of the city; acknowledge that densities likely to increase over the next 20 years (Brighton Society)</li> <li>• Suggested additional urban fringe sites for future consideration (Collins Planning Services)</li> <li>• Policies should encourage optimum use of existing housing stock (Regency Society)</li> <li>• Like to see a commitment to high quality design and consideration of townscape in all aspects of City Plan (Regency Society).</li> <li>• Plan needs to be visionary - needs to be a good city vision – areas of the city need complete re-design to bring us into step with other modern cities (individual).</li> <li>• Need for a robust and realistic approach to the delivery of homes in the city's part of Shoreham Harbour (Kingsway and West Hove Residents Association).</li> <li>• Concern regarding any taller buildings – adverse impacts of past development (Montpelier and Clifton Hill Association).</li> <li>• How does option 2 scenario compare with that modelled in the 2009 version of the Brighton &amp; Hove TA (Highways Agency).</li> </ul>

# STUDENT HOUSING

32 representations in total

Option	Respondents	Key issues
<p>ISSUE A - HMOs (Option 1) addressing the over concentration of HMO's through article 4 direction and threshold above which no further changes of use permitted.</p>	<p>12 people agreed with the preferred approach (38%)            3 respondents objected (9%)            7 respondents stating that they had no position (22%)</p> <p>CESSG, BHEP, Professor Neil Hawke, Southern Water, Watkins Jones, Kingscliffe Society, Mrs Alzbeta Johnson, Mr Richard Paul-Jones</p>	<ul style="list-style-type: none"> <li>• Support – sensible, proactive policy.</li> <li>• Of those objecting, concerns were raised that HMOs are not only occupied by students, there are a lot of young professionals and other people who live together as house sharers.</li> <li>• This approach will reduce the amount of affordable housing for all low paid residents of the city.</li> <li>• The existing standards are adequate, but are currently not being applied.</li> </ul> <p>There were also concerns with landlords being able to absorb the costs of additional licensing.</p>
<p>ISSUE B Issue B - Purpose Built Student Accommodation (Option 3) – criteria policy for assessing applications and 4 sites identified as suitable.</p>	<p>11 people agreed with the preferred approach (34%)            5 respondents objected (16%)            8 of respondents stating partial support (25%)</p> <p>BHEP, CESSG, CPRE, Regency Society, City Sustainability Working Group, Unite Plc, Your Student Room Ltd, CSMA Club</p>	<ul style="list-style-type: none"> <li>• Note: There seemed to be some confusion with some respondents with regard to Issue B). Some seem to suggest an amalgamation of options 2 and 3 when option 3 already contains a criteria based policy.</li> <li>• Of those objecting, 3 preferred a criteria based policy with the market being allowed the flexibility to bring forward appropriate sites in partnership with academic institutions or third party student accommodation providers (Unite Plc, Your Student Room Ltd, CSMA Club). They were concerned that if the city council adopt a policy approach aligned solely with the two universities aspirations and waiting for the development of the larger schemes then decades may pass before issues</li> </ul>



		<p>identified in the consultation paper are resolved.</p> <ul style="list-style-type: none"> <li>• 2 objectors were concerned that large concentrations of students in specific residential areas will not solve the problem but is likely to create and exacerbate the problems.</li> <li>• Of those partial support comments were raised on sites identified or sites considered needed to be included (Buxton Site, London Road, Co Op London Road and Saunders Glass Works, Sussex Place and Falmer Retained Land Site). Whilst Varley Halls was considered by one respondent to be at capacity and Pelham Street would create over concentration of student accommodation if proposal for the Co Op London Road allowed.</li> </ul>
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## EMPLOYMENT

### 25 representations in total

Options	Respondent	Key issues
<p>Issue 1 – Identifying central Brighton as the city’s primary office location (preferred option)</p>	<p>7 respondents in support (28%)            2 showed partial support (8%)            1 objection (4%)</p> <p>Brighton &amp; Hove Bus Company,            Brighton &amp; Hove Economic Partnership, JW Cook Estates Ltd &amp;</p>	<ul style="list-style-type: none"> <li>• Those that supported preferred option recognised the locational advantages.</li> <li>• However there were concerns that policy should not be overly restrictive and inflexible around redundancy and change of use.</li> <li>• 1 respondent indicated that whilst city centre was the preferred location, it should not exclude peripheral locations if they offer a <i>superior</i> economic,</li> </ul>

	<p>Pecila Investments, Investec Private Bank, City Sustainability Working Group, CSMA Club and Hargreaves</p>	<p>environmental and social benefit. This would allow for the development of office accommodation at Toads Hole Valley in addition to housing office/ high tech uses at Patcham Court Farm and Hangleton Bottom, currently allocated for a materials recovery facility, should be allocated for homes and employment use (BHEP).</p> <ul style="list-style-type: none"> <li>• The preferred approach was also generally supported at the events</li> </ul>
<p>Issue 2 - Identifying a range of sites within the New England Quarter and London Road Area to accommodate the needed 20,000 sq m of office floorspace post 2016 (preferred option)</p>	<p>6 respondents in support (24%)  1 respondent showed partial support (4%)  4 respondents objected (16%)  Brighton &amp; Hove Bus Company,  Brighton &amp; Hove Economic Partnership, JW Cook Estates Ltd &amp; Pecila Investments, Investec Private Bank, Spen Hill Developments Ltd, CSMA Club and Hargreaves, City Employment &amp; Skills Steering Group.</p>	<ul style="list-style-type: none"> <li>• Support for spreading the delivery of new floorspace across a wider range of sites and viability taken into consideration.</li> <li>• The partially supported respondent (JW Cook Estates &amp; Pecila Investment) felt that the approach to new B1 floorspace should allow for other sites to come forward other than sites identified within the New England Quarter and London Road area. Toads Hole Valley was indicated as having the potential for research based/ university linked eco-technology campus.</li> <li>• Those that objected (Hargreaves, Investec Private Bank and Unite Group Plc) felt that Option 2 (the previous Core Strategy approach of 2 broad locations) would allow the market to respond flexibly to market demand.</li> </ul>
<p>Issue 3 – Secondary Office Accommodation protected unless redundancy proved and alternative employment uses/ affordable housing the preferred alternative</p>	<p>7 respondents in support (28%)  4 respondents objected (16%)  BHEP, CESSG, NLCA, CPRE B&amp;H, Hargreaves, Investec Private Bank, Spen Hill Developments Ltd and Unite Group plc</p>	<ul style="list-style-type: none"> <li>• Of those that supported the preferred option the wording of redundancy required greater clarity.</li> <li>• Those that objected (Hargreaves, Investec Private Bank, Spen Hill Developments Ltd and Unite Group plc) felt that there should be the maximum flexibility for change of use in response to market requirements, a fresh approach was required for these sites, and secondary</li> </ul>

<p>uses.</p>		<p>office sites could be easily adapted to residential uses to meet housing delivery targets.</p>
<p>Issue 4 - including Strategic Employment Allocations within Development Areas</p>	<p>11 respondents in support (44%) 4 respondents objected (16%)</p> <p>National Grid Properties LTd, JW Cook Estates Ltd &amp; Pecla Investments, Hove Civic Society, NLCA, Kingsway and West Hove Residents Association, CPRE B&amp;H, CESSG, Arts Commission, Hargreaves, CSMA Club, Investec Private Bank, University of Brighton</p>	<ul style="list-style-type: none"> <li>Of those that supported there were specific comments on individual sites: Toads Hole Valley should be included as a strategic employment allocation Melbourne Street should be retained for employment uses (NLCA) The role of Aldrington Basin and its relationship to South Portslade Industrial Estate and the priorities for Shoreham Harbour regeneration do need to be referenced in the plan notwithstanding the preparation and role of the JAAP.</li> <li>Of those who objected (the main concerns was whether such an approach would be too prescriptive as to specific uses and suggested: Freshfield Road and Gala Bingo Hall – potential for residential, retail and other uses (Hargreaves). Blackman Street site – residential, B1 uses and student accommodation (CSMA Club) Circus Street – not an employment allocation, a mixed use allocation with a focus on education and student accommodation use preferred (University of Brighton). <ul style="list-style-type: none"> <li>One respondent felt it should be left to the City Plan Part 2 to allocate sites (Investec Private Bank plc).</li> </ul> </li> </ul>

<p>Issue 5 – Allocating a hierarchy of industrial sites and allowing further flexibility of permitted use on industrial sites.</p>	<p>9 respondents supported the preferred approach regarding the hierarchy of sites (36%) 2 respondents objected (8%)</p>	<ul style="list-style-type: none"> <li>• Of those supporting the approach: <ul style="list-style-type: none"> <li>- 1 respondent felt Bell Tower Industrial Estate should be included in those sites suitable for mixed use employment led redevelopment.</li> <li>- 1 respondent felt Toads Hole Valley could be identified as employment-led mixed use redevelopment.</li> <li>- Freshfield Road and Bell Tower areas would be better used for residential accommodation and a new school.</li> </ul> </li> <li>• Of the 7 respondents who answered the issue around allowing further flexibility of uses beyond B1, B2 and B8 uses there were mixed views. 3 respondents wanted to see further flexibility (National Grid Properties Ltd, Newsquest and Hargreaves); 2 were concerned that flexibility should be limited to allow for certain types of business and employment activities, or best suit needs of local residents and 2 respondents objected.</li> <li>• Of those objecting, it was felt that safeguarding industrial sites to B1, B2 and B8 was too restrictive and further flexibility should be allowed in response to market requirements (Hargreaves) and to recognise that a wider range of commercial/ employment uses can generate jobs and unlock development and subsidise lower value uses (Newsquest). Hollingbury Industrial Estate not really in industrial use any more.</li> </ul> <p>With regard to sites where employment led mixed use sites were identified, 3 respondents considered the issue of no net loss of employment floorspace may be better considered</p>
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<p>Issue 6 – Secondary Industrial Accommodation - protected unless redundancy proved and alternative employment uses/ affordable housing the preferred alternative uses.</p>		<p>on a site by site basis; that there may be instances where it would be difficult to replace the same quantum of development and that job generation should also be a consideration.</p>
<p>5 respondents in support (20%) 5 respondents objected (20%) Adur District Council, BHEP, the Kingscliffe Society, Kingsway and West Hove Residents Association, CESSG, National Grid Properties Ltd, Hargreaves, NLCA. JW Cook Estates Ltd &amp; Pecla Investments.</p>		<ul style="list-style-type: none"> <li>• Those that supported the preferred option wanted to see greater clarity around test of redundancy.</li> <li>• Of those that objected, 2 preferred Option 3 (no general protection) and 3 preferred Option 1 (no preference to alternative uses if sites found redundant).</li> </ul>

## TRANSPORT - PARK AND RIDE

26 representations in total

Options	Respondent	Key issues
<p>Preferred Option 1 - Removal of Park and Ride</p>	<p>9 respondents in support (31%) B&amp;H Friends of the Earth; Bricycles; City Sustainability Partnership; NCLA, ESCC, Highways Agency, Montpelier and Clifton Hill Association and</p>	<ul style="list-style-type: none"> <li>• Reasons – costs, bad use of land, costs outweigh benefits, can encourage driving</li> <li>• More detail on alternatives to Park and Ride</li> <li>• This approach needs to be more positive about alternatives to park and ride with a clearer Transport Framework.</li> <li>• Set out how removal of Park and Ride will help to deliver</li> </ul>

	Martin Lawrence	<p>other strategies – health, environmental, social and economic priorities.</p> <ul style="list-style-type: none"> <li>• Tie the changes to transport into the Sustainable Community Strategy targets, eg on schools, education (university and further education) and health.</li> </ul> <p>The <b>Highways Agency</b> is keen to understand supporting measures to achieve a reduction in car based transport and wanted an assurance that congestion on the A27 and A23 will be no worse at the end of the plan period.</p>
Option 2: Criteria-based Park and Ride policy	<ul style="list-style-type: none"> <li>• 10 in support (39%) Economic Partnership; City Employment and Skills Steering Group; Brighton &amp; Hove Bus Co. ; Hargreaves, B&amp;H Arts Commission; Kingscliffe Society; Andrew Coleman; Richard Cleminson</li> </ul>	<ul style="list-style-type: none"> <li>• The Economic Partnership and CESSG indicated that though Park and Ride is likely to be undeliverable that Option 1 was not supportable due to the lack of detail and vagueness of the alternative measures proposed.</li> <li>• Most comments were that Park and Ride should be retained as an option for the future as part of a Transport strategy for the city alongside the alternative measures.</li> <li>• Support for the idea of using existing car parks on the periphery of the city, suggestions include Asda, Amex Stadium, Holmbush, the Marina.</li> <li>• Look at sites outside B&amp;H including station car parks and bus station car parks.</li> <li>• Evidence of informal park and ride at a number of locations, e.g. Coop, Nevill Road.</li> <li>• Business sector as well as other groups and individuals raised concerns about the impact of raising parking charges.</li> <li>• Arts Commission raise concerns that removing P&amp;R will have on theatres and arts in the city.</li> </ul>

<p><b>Brighton &amp; Hove Bus Company</b> – makes detailed comments that question the reasons given for not proceeding with Park and Ride and that raise concerns about the alternative measures proposed (as well as them providing very little detail. The comment goes on to suggest sites for Park and Ride (Toads Hole Valley is cited) and suggestions for tackling the unacceptable levels of congestion in the city at weekends. Option 3 is not favoured as unviable.</p> <p><b>South Downs Society</b> – also makes well informed and detailed comments on park and ride and suggests that the alternative measures in Option 1 should be provided alongside and Option 2 policy. Cost and deliverability should be one of the criteria in the policy. More than one site appropriate – as commuters mainly travel into city from east and west and tourists/shoppers from the north.</p>		
<ul style="list-style-type: none"> <li>• More detail needed</li> <li>• Multiple site approach will reduce impact on the environment and be more deliverable as no one site is large enough to serve B&amp;H.</li> </ul> <p>Intercept a number of routes into the city.</p>	<ul style="list-style-type: none"> <li>• 3 respondents in support (12%)</li> </ul> <p>Natural England CPRE</p>	<p>Option 3 - Retain Core Strategy approach</p>
<p><b>Adur District</b> – wants confirmation of detail on whether the proposal will affect the future of the Coastal Transport System. If so, this will have a harmful impact on the future on development in Adur</p> <p><b>The Theatres Trust</b> – concerned that the proposal should not undermine access to the city centre which would have a harmful effect on Theatres.</p>	<p>2 respondents (8%)</p> <p>Adur District Council The Theatres Trust</p>	<p>No Preference</p>

## SUSTAINABILITY APPRAISAL

Respondents	Key Issues
<p>8 representations received (10% of respondents)</p>	<ul style="list-style-type: none"> <li>• Concern that the SA has omitted certain information from the Sustainability Issues, Plans, Policies and Guidance, and Baseline Information sections, such as: information on the Biosphere Reserve Status, information on the issue of air quality, areas of the city covered by the South Downs National Park, and reference to the National Parks and Access to the Countryside Act 1949.</li> <li>• Concern expressed that there are some errors in the SA including incorrect references</li> <li>• Various recommendations were made in relation to: carrying out an assessment of young people's open space/play needs, re-assessing how the health impacts of policies are scored, presenting information in the assessment summary tables, amending the SA objective that relates to flood risk, changing certain indicators, suggestions for monitoring, suggestions for measures of mitigation, and requesting information on cumulative impacts.</li> <li>• The accuracy of some statements in the Baseline Information section was questioned, including information relating to air quality.</li> <li>• The accuracy of some statements in the appraisals were questioned. The statements that there are less opportunities to incorporate biodiversity features in to high density development, and that development within the built up area of the city is unlikely to impact on the SDNP, were both considered to be inaccurate by the respondent. In addition, the strength of the appraisal concerning park and ride was not considered to be strong enough.</li> <li>• One respondent suggested there needs to be a full SA of the approach to development at Shoreham harbour.</li> <li>• One respondent suggested that the connection between the sustainability issues and the SA objectives should be clearer and that some issues were not covered by the objectives.</li> <li>• One respondent suggested that the SA assessment should include a restriction on height of development at the Marina. Various other recommendations relating to the status of the Marina and the types of development permitted there were made.</li> </ul>



ii) Summary of comments from stakeholder events and workshops

<b>Event</b>	<b>Paper</b>	<b>Key comments</b>
Local Strategic Partnership, Tuesday 20 September 2011	All	Raising awareness of consultation on Policy Options Papers
B&H Housing Partnership, Tuesday 18 October 2011	All	Update at meeting. No presentation.
Strategic Housing Partnership, Tuesday 25 October 2011	Housing Delivery and Student Housing	<ul style="list-style-type: none"> <li>• A discussion around controlling studentification, HMO definition and possible drop in student numbers.</li> <li>• Suggestion made that transport links in the city could be opened up and provide access to wider areas where housing could be identified.</li> </ul>
BHCC Overview and Scrutiny Commission Tuesday 1 November 2011	Employment	<ul style="list-style-type: none"> <li>• Support for the public sector in enabling and safeguarding employment land</li> <li>• Recent reductions in feed-in tariffs is one example of rapid changes to potentially have a serious impact on the local economy and should be considered</li> </ul>

Event	Paper	Key comments
BHCC Members briefing, Tuesday 1 November 2011	All	<p><b>Housing Delivery</b></p> <ul style="list-style-type: none"> <li>Concern about the lack of family accommodation</li> <li>Concern about the amount of high rise flatted development delivered in recent years</li> <li>Identification of need for infrastructure e.g. public transport</li> <li>Concern over the allocation of and access into Toads Hole Valley</li> </ul> <p><b>Park and Ride:</b></p> <ul style="list-style-type: none"> <li>Support options for continuation of Park &amp; Ride</li> </ul> <p><b>Student Housing</b></p> <ul style="list-style-type: none"> <li>Support for an Article 4 Direction that has the potential to safeguard family housing Query over whether this can be used to count towards meeting housing numbers</li> <li>Acknowledgement of importance of students to the city and support of pro-active policies</li> </ul>
City Sustainability Partnership, Monday 7 November 2011	All	<p><b>Housing Delivery</b></p> <ul style="list-style-type: none"> <li>Concern raised over impact of housing targets on other aspects of the plan such as loss of green space</li> <li>Responses included how empty properties could be used better such as compulsory purchase or full council tax charged on second homes</li> <li>Query over whether Community Infrastructure Levy Payments could be used to redress negative impacts on biodiversity</li> <li>Query over how City Plan considers link between increasing housing and impact on services e.g. healthcare – to be addressed through the Infrastructure Delivery Plan.</li> <li>Query over whether Toads Hole Valley (THV) will be mixed use – Partnership informed that provision will be made for a school, transport facilities and a mix of housing types.</li> <li>Concern over whether traveller population had been accounted for in allocating THV. Other sites being considered for travellers</li> <li>Concern over increasing density of B&amp;H</li> </ul>

Event	Paper	Key comments
		<ul style="list-style-type: none"> <li>Support for waste management to be considered at an early stage to achieve Code Level 6 for housing</li> <li>Support for CIL to allow CO2 levels to be offset elsewhere</li> </ul> <p><b>Student Housing</b></p> <ul style="list-style-type: none"> <li>Query over how tuition fees has impacted upon student numbers</li> <li>Concern over sustainability impacts of both dispersal of students across the city or in concentrations and potential for anti-social behaviour</li> <li>Partnership informed that student numbers are likely to remain stable or grow by up to 20%. City plan would seek at 10% threshold on HMOs in affected areas</li> <li>Query over whether housing released back into the market by an increase in student housing could be counted towards housing numbers. Partnership informed that this was not permissible at the moment</li> </ul> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>Query over whether number of jobs created by allocating THV was as important as the quality of jobs</li> </ul> <p><b>Other issues</b></p> <ul style="list-style-type: none"> <li>Support for the release of THV. Alternative may result in poorer development on other sites. Encourage most sustainable form of development on THV</li> <li>Query over whether the consultation was premature ahead of the publication of the NPPF</li> </ul>
Public Service Board, Tuesday 8 November 2011	All	<p><b>Toads Hole Valley</b></p> <ul style="list-style-type: none"> <li>Petitions against development raised</li> </ul> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>Support for allocations outside of city centre</li> </ul>

Event	Paper	Key comments
Stakeholder event, Wednesday 9 November 2011	Housing Delivery	<p><b>Student Housing</b></p> <ul style="list-style-type: none"> <li>• Support for the benefits of student housing in the city but concern over lack of student housing allocation in London Road area</li> <li>• Opportunity for partnership working with the council welcomed</li> </ul> <p><b>Park &amp; Ride</b></p> <ul style="list-style-type: none"> <li>• Concern over abandoning park &amp; ride and the alternatives being suggested</li> </ul>
		<ul style="list-style-type: none"> <li>• Support for proactive promotion of mixed-use sites including promoting the use of 'Brownfield'/vacant land</li> <li>• Encourage growth at sites such as Portslade Station and Toads Hole Valley</li> <li>• Ensure strategic sites can deliver required infrastructure including schools to meet the needs of future population</li> <li>• Promote sustainable development of strategic sites including sustainable transport options and technology to facilitate 'green' development</li> <li>• Ensure a balanced mix of housing types including family housing and flats, including the use of empty/second homes</li> <li>• Support the use of Planning Briefs to managing development trajectory in designated development areas</li> </ul>
	Student Housing	<ul style="list-style-type: none"> <li>• Strong support for a policy to address student accommodation in the City Plan</li> <li>• Robust comments that the current approach to student housing/HMOs concentrations is not working in affected areas with high concentrations e.g. 'The Triangle' and parts of Lewes Road</li> <li>• Strong support for a city-wide approach as well as separate policies to address over concentrations of student housing/HMOs in the 5 most affected areas/wards</li> <li>• Concern expressed about specific sites allocated for student housing. Support for better</li> </ul>

Event	Paper	Key comments
		<p>management of concentrated sites so problems in other areas are not replicated. Ensure accommodation is predominantly for undergraduates</p> <ul style="list-style-type: none"> <li>• Promote consideration of language/music students and ensure, if living in HMOs, that the accommodation is well managed and maintained.</li> <li>• Manage student accommodation jointly between local authorities, service providers, universities and businesses and to provide guidance and education for students</li> <li>• Manage anti-social behaviour through controlling levels of off-licences, sufficient refuse management and provision of services</li> <li>• Concerns over how tenancies are arranged and impact of changes to housing benefit on hostel and bedsit accommodation</li> </ul>
	Employment	<p><b>Central Brighton and primary office area:</b></p> <ul style="list-style-type: none"> <li>• Promote clarity for defining 'central'</li> <li>• Support to allow tall buildings, enabling development, change of use of lower ground floor could all aid refurbishment and upgrade of offices</li> <li>• Concern over limited opportunities in central Brighton</li> <li>• Impact of government consultation on consultation on allowing commercial to go to residential – use of other planning tools – article 4 direction.</li> </ul> <ul style="list-style-type: none"> <li>• Recognise demand for some parking</li> <li>• Concern that rents are generally not high enough in the city for refurbishments – allow more flexible change of use</li> <li>• Encourage provision of affordable office space although occupiers looking for Grade A, flexible space and flexible leasing.</li> </ul> <p><b>Issue 2 Approach to employment led mixed use development:</b></p> <ul style="list-style-type: none"> <li>• Recognised that SPDs will be carried forward</li> </ul>

Event	Paper	Key comments
		<ul style="list-style-type: none"> <li>• Welcomed approach for undertaking briefs/SPDs jointly with developer/owner setting realistic expectations</li> <li>• Encourage certainty for how much employment expected on mixed use sites– 50% - 50% or 70 – 30 %.</li> <li>• Welcome better access along main roads e.g. Preston Road</li> <li>• Promote proposals to ensure deliverability – floorplates of 500 sq m are most flexible for developers and a range of office sizes are required for the city</li> </ul>
	Park & Ride	<p><b>Importance of provision of Park and Ride for managing traffic and congestion in the city:</b></p> <ul style="list-style-type: none"> <li>• Support for both P&amp;R and alternative measures</li> <li>• Welcome investment in changing behaviour.</li> <li>• Concern over whether it will work</li> <li>• Politics has prevented delivery of key sites</li> <li>• Increasing road capacity outside Brighton lead to more visitors to the city</li> <li>• Further detail in P&amp;R policy welcomed to alleviate worsening conditions.</li> </ul> <p><b>Priority for P&amp;R and alternative measures to reduce traffic:</b></p> <ul style="list-style-type: none"> <li>• Welcome measures to set parking charges to manage congestion without harming economic performance and growth and tourist potential of city</li> <li>• Support to consider underused car parks, such as supermarkets, for low key P&amp;R</li> <li>• Strong support for gathering information provided on journey type and distance and how P&amp;R can influence this in terms of intercepting traffic</li> <li>• Promote other measures such as travel plans and integrated event management particularly for weekend events. P&amp;R just one tool</li> <li>• Concern over impact of affordability and rising costs of public transport</li> <li>• Concern raised over suitable site and impact on delivery of P&amp;R</li> </ul>

Event	Paper	Key comments
Partnership Managers Meeting of LSP, Wednesday 16 November 2011	All	<ul style="list-style-type: none"> <li>Concern raised over land availability and implications for promoting tall buildings. There are several identified areas in the city suitable for tall buildings.</li> <li>Point was raised that consideration needs to be given to the city's supply of underused land e.g retail sheds with car parks and how these sites will be more efficiently used when they come up for redevelopment</li> </ul>
Shoreham Airport Consultative Committee (requested by committee), Wednesday 16 November 2011	All	<p><b>Housing Delivery</b></p> <ul style="list-style-type: none"> <li>Clarification of whether the 400 homes stated for Shoreham Harbour were within the administrative area</li> </ul> <p><b>Park &amp; Ride</b></p> <ul style="list-style-type: none"> <li>Concerns around potential proposals for park and train – no funding available to increase capacity at stations or the number of stations</li> <li>Need to recognise the many businesses that use Shoreham Airport. The A259 is not an attractive route from the Airport into the city. Sends out a negative image. Pricing out parking is not a sustainable solution. The council's Transport Strategy is flawed. It is easier to go shopping to Portsmouth and Southampton than it is to drive into Brighton</li> <li>Transport infrastructure needs to be in place to support the growth of Shoreham Airport – sustainable business aviation units and good public transport links.</li> </ul> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>Reference to employment growth in the city – clarify around whether that was net growth and need to see reference to Local Economic Partnership</li> <li>Need to see link between employment and housing policies – role of home working and internet access.</li> </ul>
Brighton & Hove	All	<p><b>Housing Delivery</b></p> <ul style="list-style-type: none"> <li>Links between housing and employment acknowledged. Concern over high house prices and</li> </ul>

Event	Paper	Key comments
<p>Economic Partnership (BHEP) – Business consultation workshop on policy options papers, Wednesday 16 November 2011</p>		<p>the impact this has on in/out migration for work</p> <ul style="list-style-type: none"> <li>• Support for preferred option and the release of Toads Hole Valley (THV) but concern that this will be insufficient. Some support for the higher targets</li> <li>• Housing mix an important consideration especially for lower income and young people/families</li> <li>• Concern raised over challenging residential densities</li> <li>• Participants welcome greater policy flexibility to make change of use easier/quicker, e.g. from office to residential</li> <li>• Balance between employment floor space and residential allocations. Promote workspace at home and live/work units</li> </ul> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>• Promote mixed use development on all employment sites and encourage enabling development to refurbish old or poor quality businesses premises and revitalise existing businesses and allow them to remain in the city</li> <li>• Support policies that promote the creation of flexible and affordable business space in a range of sizes to encourage growth or that cultivate spin-off uses.</li> <li>• Support for strategic employment sites within development areas as provides certainty for developers/employers</li> <li>• Encourage hubs for key sectors and council to clarify what kinds of businesses they wish to attract e.g. THV good location of high tech businesses</li> <li>• Acknowledge challenging financial environment in bringing forward commercial development and lack of business growth.</li> <li>• Participants welcome greater policy flexibility to enable more responsive decisions to commercial planning applications</li> <li>• Expressed importance of partnership working between public service providers, education and businesses/landowners</li> </ul>



Event	Paper	Key comments
Sustainability Working Group (sub group of Sustainability Partnership), Thursday 17 November 2011	All	<ul style="list-style-type: none"> <li>Concern over unimplemented permissions and their contribution to the overall floorspace targets</li> </ul> <p><b>Park &amp; Ride</b></p> <ul style="list-style-type: none"> <li>Support for P&amp;R to be back in the City Plan and to link P&amp;R with access to the South Downs National Park</li> <li>Key concern over volume of traffic entering the city and resulting congestion and its impact on businesses</li> <li>City's good public transport system acknowledged but suggested it needs further support</li> <li>Controlled parking zones need managing and monitoring to ensure balance of users e.g. less residential only areas near seafront to attract visitors</li> </ul> <p><b>Housing Delivery</b></p> <ul style="list-style-type: none"> <li>Agree that Preferred Option 2 is best option. Support ambitious development at Toads Hole Valley in that it should be a zero-carbon development and also could be opportunity to create an Eco-village.</li> <li>Concern expressed over whether 750 homes uses the site efficiently. Potential to achieve more housing there, while still providing a high quality family environment. Not to be constrained by traditional approaches to housing development.</li> <li>Query how much public space is required at Toads Hole Valley given the closeness of the National Park and the adjacent SNCI.</li> <li>Support for policies that encourage housing to be adaptable and that encourage mixed use for future flexibility and multiple needs</li> <li>Needs to consider the impact on transport and services of increases in population and recommendations for extra provision. Expressed importance of links between transport and economic development.</li> </ul>

Event	Paper	Key comments
		<p><b>Student Housing</b></p> <ul style="list-style-type: none"> <li>• Group is in agreement with the preferred Policy Option</li> <li>• Concern over whether the plans are ambitious enough and if greater density of development could be achieved at the sites.</li> <li>• Housing should be built for flexibility and adaptability allowing for units to be converted for private use if need be.</li> <li>• Promote inclusion of language Students in total number of students needing accommodation – group estimates a further 12,000 per year</li> <li>• Infrastructure needs to be in place (such as cycle tracks) before new student accommodation brought forward</li> </ul> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>• In broad agreement with the recommendations detailed in the Employment Policy Option Paper, particularly around protecting Central Brighton as the city’s primary office area.</li> <li>• Group would like to see that central Brighton will not be the sole focus for employment / business accommodation.</li> <li>• Promote more detail on how refurbishments are to be secured</li> <li>• Expressed importance of drawing out the interrelationship between housing options and employment options.</li> </ul> <p><b>Park &amp; Ride</b></p> <ul style="list-style-type: none"> <li>• Agreed with the Preferred Policy Option 1 to remove Park and Ride from the sustainable transport policy as: <ul style="list-style-type: none"> <li>i) It is a poor use of land (which is in short supply in the city)</li> <li>ii) It is expensive</li> <li>iii) It is possibly not deliverable as previously envisaged with the National Park now confirmed.</li> </ul> </li> </ul>

Event	Paper	Key comments
<p>Transport Partnership, Monday 14 November 2011</p>	<p>All</p>	<p>iv) It can reduce journeys in and out of town (if accompanied by a reduction in city centre car parking) but has little impact on reducing the amount of in-city journeys</p> <ul style="list-style-type: none"> <li>• Strong support for a more ambitious and positive approach to alternative measures, i.e. trains, sustainable modes of travel</li> </ul>
		<ul style="list-style-type: none"> <li>• The City Sustainability Partnership had concluded the options were right but welcomed a more positive approach to the alternatives</li> <li>• Sought more explanation as to why the city council is recommending the removal of Park + Ride from the policy</li> <li>• Suggested alternatives to Park + Ride are not clear and advocate more radical alternatives</li> <li>• Public transport fares have to be set within a commercial market. Query the appropriateness of the term 'affordable'.</li> <li>• Support the need for improved links between bus and train. Query whether Brighton Station Gateway proposals will achieve this</li> <li>• Redevelopment of Toad's Hole Valley could be a possible Park + Ride site</li> <li>• Highlighted need for consideration of the National Park's own transport strategy and likely requirement for more additional transport infrastructure</li> <li>• Intercepting travellers at the start of their journey is important e.g. there is a London transport campaign poster on the A12 in Southend.</li> <li>• Mitigation measures are needed to offset travel generated by big developments</li> <li>• Reference was made to the city's Air Quality Management Area and Low Emission Strategy, in terms of mitigation measures such as addressing lorry deliveries and further investment in electric vehicles, and how they feature in the City Plan and LTP.</li> <li>• Encouraging more cars into the city does not necessarily mean more money/business coming into the City</li> <li>• Support the approach to incentivising and to make more appealing the use of public transport for businesses</li> </ul>

Event	Paper	Key comments
<p>City Employment &amp; Skills Steering Group, Thursday 24 November 2011</p>	<p>All</p>	<p><b>Housing Delivery</b></p> <ul style="list-style-type: none"> <li>• Expressed concern over inclusion of Toads Hole Valley regarding objections and scenarios should the site not come forward</li> <li>• Support for preferred option housing numbers although leaves shortfall in housing numbers</li> <li>• Close partnership working with neighbouring local authorities considered essential to achieve a balance of housing given the city's constraints</li> </ul> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>• Support development of office space in city centre although not to exclude other sites to enable delivery of social, economic and environmental benefits</li> <li>• Balance between housing delivery and protection of employment sites. Support hierarchy of sites but would welcome an approach that treats each site on a case-by-case basis</li> <li>• Eco-tech park a long term aspiration of CESSG. Group not it would be deliverable on basis of inclusion of Toads Hole Valley</li> <li>• Concern over governments proposal to relax change of use from employment to residential. Designate city as business district to protect employment uses and trigger test of redundancy</li> </ul> <p><b>Transport</b></p> <ul style="list-style-type: none"> <li>• A27 by pass severs links with South Downs</li> <li>• Toads Hole Valley access and transport links needs consideration as it is mostly accessed by car</li> </ul>
<p>Conservation Advisory Group (CAG), Tuesday 13 December</p>		<p><b>Housing Delivery</b></p> <ul style="list-style-type: none"> <li>• Group supports more intensification of low density areas before consideration of a Greenfield site. Some members supported both strategies</li> <li>• Support for Option 2 but concerns raised about the mix of unit sizes and the need for more family-sized units, adequate room sizes and mixed uses</li> </ul>

Event	Paper	Key comments
2011		<ul style="list-style-type: none"> <li>• Query whether the last housing needs study in 2005 was up to date enough to make informed decisions. Group informed that it was.</li> </ul> <p><b>Student Housing</b></p> <ul style="list-style-type: none"> <li>• Strong support for the preferred option</li> <li>• Comments raised regarding the need for devoted student houses so others can be used by single people but stressed that these sites should be identified as having minimal impact on neighbouring properties</li> </ul> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>• Comment raised that the natural progression for home workers is to a business centre and that this should be provided for in the policy– e.g. Tower Point was raised as a good model for small businesses.</li> <li>• Support for vacant sites to be refurbished and upgraded for mixed use e.g. Preston Road.</li> <li>• Query raised whether the council are looking at reducing retail space in the town centre</li> </ul> <p><b>Park &amp; Ride</b></p> <ul style="list-style-type: none"> <li>• Concerns over the loss of park and ride. Support for an alternative to reduce the amount of traffic in the town centre, seafront and historic areas. The group suggested removing the signs directing to the seafront parking.</li> <li>• Support for greatly improved bus and train services if park &amp; ride is dropped. Like to see safer cycle lanes that join together</li> <li>• Concerns raised with regard to the policy to be 80% CO<sup>2</sup> reduced by 2050 and felt the group needed to consider what the city will look like in the future and to prepare for this reduction</li> </ul>



## **Appendix 3, City Plan: Background Studies Report**

### **Summary of Background Studies**

#### **1. Affordable Housing Viability Study Update (April 2012)**

This Study updates the previous Affordable Housing Development Viability Study work undertaken in 2004 and updated in 2007.

Within the overall requirement for housing across the City, the demand for affordable housing is a major issue. The study re-assesses the (financial) capacity of residential development in the City to deliver affordable housing without viability being unduly affected based on an updated review of circumstances and therefore assumptions used within the assessment.

The study's main recommendations are for:

- City-wide affordable housing policies (not varied by geography) – although the report provides alternative options for consideration.
- 40% on-site affordable housing on sites of 15+ units followed by a sliding scale of affordable housing requirements below this.
- 30% on-site affordable housing on sites of 10-14 units.
- 20% affordable housing equivalent contribution on sites of 5-9 units.
- No more than 10% affordable housing equivalent contribution on sites of fewer than 5 units to maintain the sliding scale principles and due to viability difficulties that can arise on the smallest sites.

#### **2. Housing Requirements Study – Supplementary Papers (Brighton & Hove)(March 2012)**

The Supplementary Papers were prepared by consultant GL Hearn. The first paper considers the demographic implications of the proposed housing trajectory in City Plan. The Paper draws on preferred options Housing Targets Paper and 2011 Strategic Housing Land Availability Assessment Update. The paper indicates that planned housing delivery could support an 11% growth in numbers of households and a 10% growth in the workforce.

The second paper also considers the implications of demographic change on demand for homes in Brighton & Hove. It provides an analysis of requirements for different sizes and types of homes in Brighton & Hove based on demographic modelling. The Paper supplements and updates the analysis within the 2008 Strategic Housing Market Assessment (SHMA). It also indicates an estimated 53% of overall housing need and housing demand (market and affordable) is for 3-4 bedroom properties. Overall requirement for flatted development makes up around a third of the total. Ability to deliver this

mix will be restricted by the types of sites likely to be brought forward for development.

### **3. Viability Testing – Strategic Sites (2011)**

The purpose of the Assessment was to look at the financial viability of a number of strategic site allocations that were contained within the Submitted Core Strategy to ensure that the allocations that go into the City Plan will be viable and deliverable during the life of the City Plan. The following sites were assessed:

- Brighton Marina Inner Harbour (DA2 Brighton Marina, Gas Works and Black Rock Area)
- Preston Barracks (DA3 Lewes Road)
- Preston Road – Site 1 – Anston House and Telecom House DA4 New England Quarter and London Road Area)
- Preston Road – Site 2 – 149 -163 Preston Rd (DA4 New England Quarter and London Road Area)
- New England Quarter Sites – Longley Industrial Estate, Richardson’s Scrapyard and Brewers Paint Merchants DA4 New England Quarter and London Road)
- Edward Street Quarter (DA5 Eastern Road and Edward Street Area)

The Assessment looked at whether these site allocations were viable in the current market conditions or have a reasonable prospect of becoming viable in the longer term. The viability assessments have been undertaken independently by Cluttons (property consultants and estate agents) which have been reviewed and explained in the covering report.

The findings and recommendations arising from each viability assessment have informed the strategic allocations within the draft City Plan Development Area policies in terms of the type, mix and amount of development on each site. The findings indicate that amendments should be made to the strategic allocations to ensure development is deliverable.

### **4. Appropriate Assessment (2012)**

The Appropriate Assessment was conducted and written by the Brighton & Hove City Council’s Ecologist. The aim of the assessment is to evaluate the ecological impact of the policies of the proposed City Plan Part 1 to ensure that it does not have an adverse effect on any European or Ramsar wildlife sites in particular the Castle Hill Special Area of Conservation and a number of other European or Ramsar wildlife sites located in the wider areas. The Appropriate Assessment was first undertaken in 2009 to support the Core Strategy. The 2012 update takes account of the proposed revocation of the South East Plan, the publication of the National Planning Policy Framework and revisions made to the Development Areas identified in the City Plan Part 1 (formerly the Core Strategy).



The draft Appropriate Assessment concludes that the proposals in the Proposed Submission City Plan Part 1 DPD will not have an adverse effect on any European or Ramsar wildlife sites. Any subsequent plan following the City Plan Part 1 will similarly need to adhere to the requirements of the Habitat Regulations.

There are therefore considered to be no requirements to go beyond the scoping stage as no impacts have been identified. This draft Appropriate Assessment will be sent to Natural England for comment.

## **5. Sequential and Exceptions Test (2012)**

The purpose of the document is to set out the Sequential Test, and Exception Tests where appropriate, regarding flood risk for the eight Development Areas identified in the City Plan, following the steps outlined in the National Planning Policy Framework and technical guidance. The Sequential and Exceptions Tests were first undertaken in 2009 to support the Core Strategy. The 2012 update takes account of the proposed revocation of the South East Plan, an updated Strategic Flood Risk Assessment, the publication of the National Planning Policy Framework and revisions made to the Development Areas identified in the City Plan Part 1 (formerly the Core Strategy).

The Sequential Test aims to ensure that new development is directed first to sites at the lowest probability of flooding, with the flood vulnerability of the intended use matched to the flood risk of the site i.e. higher vulnerability uses should be located on parts of the site at lowest probability of flooding.

All the proposed Development Areas have passed the Sequential Test as it is not considered that those located in flood risk areas could be reasonably located in areas of lower flood risk. For Development Areas that are partly in flood risk zones, the more vulnerable land uses, such as residential development, should be directed to the parts of the Areas that are at lower risk of flooding.

The Exception Test has been applied to DA2 (Brighton Marina) and DA8 (Shoreham Harbour) and it is considered that the wider sustainability benefits of development at both locations outweigh the flood risks. Site specific Flood Risk Assessments produced to support proposals will ensure that development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. It is therefore concluded that it is appropriate to allocate both sites in the City Plan.



## **Appendix 4: Annexes to the City Plan Part 1**

### **Summary of Annexes**

The three annexes to the City Plan are important documents in helping to deliver the Plan. It is not appropriate to make these sit within the Plan as they will be the subject of review and change.

### **Annexe 1: Implementation and Monitoring Tables**

The Implementation and Monitoring Tables comprise a comprehensive list of indicators for measuring the implementation and effectiveness of the 36 policies in the City Plan.

The implementation of the City Plan will depend on effective action from a range of different agencies. The city council will be a key player through its approach for managing development and through the preparation of development briefs, design guidance, masterplans to bring forward proposals in the Development Areas and through detailed guidance in Supplementary Planning Documents. However, other parts of the city council and other agencies will also play an important role in helping to deliver or support different elements of the City Plan – either as a provider or facilitator of new development or through their statutory roles in helping to manage and control development.

The support of the private sector, whether as an agency for development or in the provision of services in the local community, will also be important and the city council will look to maintain close engagement with them in the coming years, through the forum of the Local Strategic Partnership. Central to this approach is the need to ensure the involvement of the wider community, whether those who live or work here. The city council will continue to engage the local community seeking to build on their capacity to engage and influence change to ensure the new plans deliver sustainable development and reflect the kind of city residents want to live in.

A number of policies will also depend on the production of other documents as part of the Local Development Framework, for example, the Development Policies and Sites Allocation document, Area Action Plans or Supplementary Planning Documents.

### **Monitoring**

The tables represent the implementation and monitoring framework for the City Plan. For each of the policies it details:

- Implementation/ issue(s) relating to each policy
- The delivery mechanism/partners related to each implementation/issue
- The indicator reference / indicator
- Targets that are to be used to measure progress towards the objectives and their timescale.

- Strategic Objectives - to show how each policy will be deliver the Strategic Objectives listed in the City Plan.

The main delivery agent of this monitoring will be the Annual Monitoring Report (AMR). Each year we will publish an Annual Monitoring Report, which will:

- assess the performance of the City Plan and other Local Development Framework documents by considering progress against the indicators in Brighton & Hove’s City Plan Monitoring Indicators document;
- set out the Council’s updated housing trajectory (see policy CP1);
- identify the need to reassess or review any policies or approaches;
- make sure the context and assumptions behind our strategy and policies are still relevant; and
- identify trends in the wider social, economic and environmental issues facing Brighton & Hove.

### **Indicators and Targets**

The indicators for each policy have been chosen to ensure that they allow comprehensive monitoring of the performance of the preferred option against its objectives, and also provide a contextual setting. The indicators are derived from a number of sources and include some that are compulsory, nationally set indicators, and some that are locally set. Each indicator has been assigned a unique identifier, and part of this prefix identifies its source.

- NI/ - National Indicator part of the remaining set still collected by central government
- COI/ - Core Output Indicator – a set of common requirements for local authorities
- LOI/ - Local Indicator – a locally derived indicator deemed to be appropriate for the needs of LDF monitoring;
- LOI/LTP - Local Transport Plan Indicator

The indicators have been selected based not only on their appropriateness, but on the availability of data. It is deemed that generally, the listed indicators should have data that is both available at the local level and that is updated on at suitable interval. Where there may be issues in obtaining the data at present it is expected that it will become available for monitoring purposes in the future. Where appropriate National targets have been identified they have been included within the framework. This may be replaced as and when updated by the Government. Where local circumstances require specific targets these have been developed and are included within the framework.

## **Annex 2 : Infrastructure and Delivery Plan**

An Infrastructure<sup>1</sup> Delivery Plan (IDP) identifies what infrastructure is required to meet strategic objectives and enable development proposed in the City Plan to progress. The IDP identifies what is required for the future, when it is needed, who is responsible for its provision, and how it will be funded. Infrastructure and services are provided by many different organisations, and the IDP is a mechanism through which co-operation between organisations can be achieved.

Brighton & Hove's Infrastructure Delivery Plan sets out the planned and the projected needs for infrastructure in response to current strategic aims and development coming forward during the life of the City Plan. It is arranged under the following headings:

- environmental ;
- social; and
- physical infrastructure.

## **Annex 3: Housing Implementation Strategy**

Housing Implementation Strategies were introduced by national planning guidance in Planning Policy Statement 3 – Housing<sup>2</sup>. Local planning authorities were advised that their Local Development Documents should set out a Housing Implementation Strategy (HIS) that described the approach to managing the delivery of housing and previously-developed land (PDL) targets and trajectories (PPS3, paragraph 62).

The National Planning Policy Framework (NPPF) was published in March 2012 and replaces the national planning guidance set out in the former Planning Policy Statements. At paragraph 47, the NPPF guidance advises that local planning authorities should:

*'for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target' (para.47, fifth bullet point).*

In Brighton & Hove, the housing trajectory anticipates the delivery of both market and affordable housing and both will count towards meeting the city's overall housing target. In most instances, new affordable housing is provided as a percentage or 'quota' of the total amount of housing proposed on

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<sup>1</sup> Infrastructure can be defined as the basic facilities, services, and installations needed for the functioning of a community, such as transportation and communications systems, water and power lines, and public institutions including schools and hospitals.

<sup>2</sup> Planning Policy Statement 3: Housing, latest edition June 2011.

(otherwise) market housing sites. The Housing Implementation Strategy is similarly concerned with total housing delivery over the plan period.

The Housing Implementation Strategy gives an overview of the level of housing outlined for delivery in the City Plan followed by an outline of the approach to managing housing delivery over the plan period. Without further guidance, it is assumed that the scope of an 'HIS' referred to in the NPPF reflects that as previously envisaged by advice in PPS3.

<b>Subject:</b>	<b>Proposed options for the provision of 3 Junior forms Portslade - Results of consultation</b>		
<b>Date of Meeting:</b>	<b>10<sup>th</sup> May 2012</b>		
<b>Report of:</b>	<b>Strategic Director, People</b>		
<b>Lead Cabinet Member:</b>	<b>Cabinet Member for Children &amp; Young People</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Gil Sweetenham</b>	<b>Tel: 29-3474</b>
	<b>Email:</b>	<b>Gil.sweetenham@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>Yes/No</b>	<b>Forward Plan No: 28968</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Current and projected pupil numbers for the city show there is an immediate and ongoing need for additional school places in the city as a whole. This need is most acute in the west of the city.
- 1.2 As part of the solution for providing these places, Benfield Junior School was made into a primary school in September 2010. This has resulted in a mismatch in the numbers of forms of entry for infant places and junior places.
- 1.3 Cabinet agreed at its meeting on 19<sup>th</sup> January 2012 on the preferred option for providing the 3 additional junior forms of entry that are needed.
- 1.4 The purpose of this report is to report the outcome of the initial consultation undertaken between February and April 2012 and to seek Cabinet endorsement to proceeding with the publication of the necessary statutory notice. In addition to seek Cabinet endorsement to the necessary site acquisition for the expansion of St Peter's Community Infant School.

**2. RECOMMENDATIONS:**

- 2.1 That Cabinet endorses the preferred option of making St Peters Community Infant School, Portslade Infant School and St Nicolas Church of England Junior School into all through primary schools from September 2013.
- 2.2 To agree to the publication of the required Statutory Notices to progress this proposal.
- 2.3 To delegate the final decision on the proposal to the Strategic Director, People and the lead member for Children and Young People following the end of the statutory notice period.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 Pupil numbers across the city are rising generally and the rise in Hove and Portslade is greater than the city generally and already causing a pressure on school places that cannot be met locally.
- 3.2 The need for additional reception and infant class places in the city over the last three years has been partly addressed by providing permanent additional forms of entry Benfield Primary School. As a result of this change there still exists a need to find sites for three additional forms of entry for juniors (school years 3 to 6) in Portslade.
- 3.3 At its meeting on 19<sup>th</sup> January 2012 Cabinet agreed the preferred option for providing the 3 additional junior forms of entry that are needed and that the further consultation required by the Education and Inspections Act 2006 on the proposals to extend the age range of all three schools be undertaken and the results be reported back to Cabinet.

### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 Following the Cabinet meeting on 19<sup>th</sup> January 2012 a consultation document was prepared for each of the schools and was circulated to the parents, pupils, staff and governors at the schools. Copies of the document were also placed in the reception areas of each school and on the website of each school.
- 4.2 Copies of the consultation document were also sent to the head teachers of all other schools in Portslade, ward councillors, the local Member of Parliament and representative of the Diocese.
- 4.3 The consultation document included details of how to respond and a tear of response slip. The closing date for the consultation was 2<sup>nd</sup> May 2012. The responses to the consultations are reported below.

#### **St Nicolas Church of England Junior School.**

- 4.4 A total of 11 responses were received of this 10 were in favour and 1 was against.

#### **Portslade Infant School.**

- 4.5 A total of 54 responses were received of this 52 were in favour and 2 were against.

#### **St Peter's Community Infant School**

- 4.6 A total of 6 responses were received of this 6 were in favour and none were against
- 4.7 Guidance issued by the DfE entitled "Making changes to a maintained mainstream school' sets out the procedures that will have to be followed by the



Authority in order to effect these proposed changes. A copy of this document is in the members rooms for information.

- 4.8 The results of the consultation indicate that there is support to make the changes as suggested it is therefore recommended to proceed to the next stage of the process which is the publication of the statutory notices.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 There are no direct implications as a result of the recommendation to note the outcome of the informal consultation on the proposal to extend the age range of the three schools, or the recommendation to publish the statutory notices, however if the proposals are approved at a later stage then any Capital implications of the expansion will have to be met from the existing Capital programme in 2012/13.
- 5.2 The cost of acquiring the site adjacent to St Peters Infants School will have to be met from the existing Capital programme in 2012/13 along with the costs of furnishing the new building in 2013/14 which will also have to be found from the existing Capital programme.
- 5.3. The revenue costs of funding the additional forms of entry will be met from the Dedicated Schools Grant (DSG) in 2013/14 onwards.

Finance Officer Consulted: Andy Moore

Date: 17 04 12

### Legal Implications:

- 5.4 In order to achieve the proposed changes in age range it has been necessary to carry out a formal consultation exercise with all interested parties. If the decision is now made to proceed with the proposals following this consultation, statutory notices will need to be published in accordance with the Education and Inspections Act 2006 and associated regulations. There will then follow a period of 6 weeks within which any person may make comment or object to the proposal.

At the end of this representation period a decision on the proposals will need to be taken within 3 months.

Lawyer Consulted:

Natasha Watson

Date: 27/05/12

### Equalities Implications:

- 5.5 Planning and provision of school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of best practice as described in the Admission Code of Practice.

### Sustainability Implications:

- 5.6 All new extensions to Brighton and Hove Schools utilise, where ever possible,

environmental and sustainable principles such as higher than minimum insulation levels, the use of efficient gas condensing boilers, under floor heating, solar shading and natural ventilation. Materials are sourced from sustainable sources where ever possible.

#### Crime & Disorder Implications:

- 5.7 Throughout the development of the proposals consultation will be undertaken with community groups and the Community Safety team and police liaison officers. It is anticipated that by including the community in the development and use of the facilities at the schools that crime and disorder in the local area will be reduced. This will be further improved by offering extended use of the facilities to the community outside of the school day

#### Risk and Opportunity Management Implications:

- 5.8 It is important that this opportunity is taken to ensure the future provision of learning and teaching, and continuing improvement in standards of education in the city.

#### Public Health Implications:

- 5.9 There are no public health implications arising from this report.

#### Corporate / Citywide Implications:

- 5.8 These proposals are an essential element in providing additional local school places for children.

### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 This paper presented to Cabinet in January 2012 presented the full range of options available to address the need for future. These were the preferred option for addressing this need.

### **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Current and projected pupil numbers for the city as a whole show there is an immediate and ongoing need for additional school places in the city as a whole. This need is most acute in the west of the city on the Portslade / Hove border.
- 7.2 To meet the projected future growth in pupil numbers we need to provide three additional forms of entry in Portslade.

## **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. None

#### **Documents in Members' Rooms**

1. DfE document 'Making changes to a maintained mainstream school'

<b>Subject:</b>	<b>Waste Management Strategy Review</b>		
<b>Date of Meeting:</b>	<b>10<sup>th</sup> May 2012</b>		
<b>Report of:</b>	<b>Strategic Director, Place</b>		
<b>Lead Member:</b>	<b>Cabinet Member for Environment &amp; Sustainability</b>		
<b>Contact Officers: Name:</b>	<b>Jan Jonker</b>	<b>Tel:</b>	<b>29-4722</b>
	<b>E-mail: jan.jonker@brighon-hove.gov.uk</b>		
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No:</b>	<b>CAB28678</b>
<b>Wards Affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 In December 2011 Cabinet gave permission to consult on the review of the Municipal Waste Management Strategy. The strategy was reviewed in light of:
- The council's priorities and the city's One Planet Framework
  - The Government's national review of waste policy published in June 2011
  - Proposed changes to waste legislation including the Landfill Allowance Trading Scheme (LATS)
  - Proposed EU recycling targets for the UK which may have implications for local authorities.
  - The findings of research into options for dealing with food waste.
- 1.2 The consultation has now been completed and this report seeks to formally adopt the revised strategy and action plan which is attached as Appendix 1. It also seeks agreement on a number of key decisions regarding implementation of the strategy.

**2. RECOMMENDATIONS:**

- 2.1 That Cabinet approves the revised Waste Management Strategy as set out at Appendix 1.
- 2.2 That Cabinet approves the submission of an outline funding bid to the Department for Communities and Local Government (DCLG) Weekly Collection Support Scheme for the extension of communal recycling in the city centre, in accordance with the parameters set out in report and at Appendix 2.
- 2.3 That the Strategic Director of Place and Director of Finance are given delegated authority to submit the final bid relating to 2.2 above in August 2012 in consultation with the Chair of the Environment and Sustainability Committee.
- 2.4 That Cabinet agrees a commercial waste collection trial in accordance with the parameters set out in the report and subject to final agreement of the detailed operational arrangements the Director of Finance and the Strategic Director of Place.

- 2.5 That Cabinet agrees the fees for commercial waste collections and the delegations to the Director of Finance and Strategic Director of Place of an adjustment to those fees as set out in the report

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The original waste strategy adopted in 2010 was developed based on extensive research looking at best practice in the UK and worldwide. The research was narrowed down to ensure it was relevant to Brighton & Hove.
- 3.2 Options were evaluated based on environmental, operational, social and financial criteria using a model developed by the London School of Economics. The strategy was subject to wide scale consultation and an independent sustainability appraisal which considered the social, environmental and economic consequences.
- 3.3 A review of the 2010 strategy has now been completed and updates the strategy in light of some of the changes set out below.
- 3.4 The One Planet Framework developed by the City Sustainability Partnership which the council as a key partner is working towards. It sets out priorities for the city in relation to sustainability and identifies actions to deliver improvements. It is based around ten principles:
- Zero carbon
  - Zero waste
  - Sustainable transport
  - Local and sustainable materials
  - Local and sustainable food
  - Sustainable water
  - Natural habitats and wildlife
  - Culture and heritage
  - Equity and fair trade
  - Health and happiness
- 3.5 The strategy review incorporates the principles and actions surrounding *zero waste* and local and *sustainable materials* so that it becomes the delivery mechanism for these two aspects of the One Planet Framework.
- 3.6 The EU framework directive on waste requires member states to achieve 50% recycling of household waste by 2020. In the UK individual local authorities have not been set individual recycling targets. However Part 2 of the Localism Act gives ministers power to pass EU fines down to local authorities, although these provisions have been significantly tightened to ensure that this will only happen after a full review by an independent panel.
- 3.7 The 2010 strategy set out a commitment to carry out more research on food waste collection to help inform options for dealing with this waste stream. This research has been concluded and has informed this review.
- 3.8 All the information collated from the above points was used to identify risks and options and/or opportunities which in turn informed the development of an updated strategy and action plan. This information is presented in the Waste

Strategy Review Document which was presented to the Cabinet Meeting in December 2011. The report was considered by scrutiny in December 2011.

## Strategy Objectives

- 3.9 The objectives of the strategy have remained the same, namely to:
- reduce the overall volume of household waste generated, and maximise reuse, recycling, composting and recovery of waste
  - send as little waste as possible to landfill
  - ensure compliance with legal requirements relevant to waste management and enforce these consistently
  - protect the environment and enhance its quality
  - improve our service to residents and businesses while ensuring services continue to improve and represent value for money

## Targets

- 3.10 The 2010 strategy set household waste recycling and composting targets for 2015/16 and 2020/21 of 40% and 45% respectively.
- 3.11 Based on evidence from other authorities and the research done as part of this review the types of changes that would be required to achieve 50% recycling have been identified. However the current economic climate and the budget constraints on the council mean that it will take some time to implement the changes to achieve this higher recycling/ composting rate. The proposed targets set out below reflect these constraints.
- 3.12 Achieving the One Planet Living target of 70% recycling by 2025 will require further changes to packaging, the waste management industry and consumer behaviour.
- 3.13 The revised strategy targets are set out in the table below. They assume a 10% reduction in the amount of waste produced per household between now and 2025

Target	2008/09 Actual	2010/11 Actual	2012/13 Target	2015/16 Target	2020/21 Target	2025/26 Target
<b>Recycling &amp; Composting</b>	29.2%	27.7	32%	40%	50%	70%
<b>Energy Recovery</b>	21.39%	26.8	56.1%	55%	48%	28%
<b>Landfill</b>	49.39%	45.6	11.6%	5%	2%	2%
<b>Kg residual waste per household</b>	610	602	602	590	571	542
<b>Kg waste per person (incl waste recycled, reused &amp; composted)</b>	433	434	409	354	286	163

## **Policies & Action Plan**

- 3.14 The strategy policies have been updated and cover the following areas:
1. Service quality and engagement with residents, businesses and communities
  2. Waste minimisation and prevention
  3. Increasing rates of re-use
  4. Increasing recycling rates
  5. Increasing compost rates
  6. Waste from businesses and other organisations
  7. Local and sustainable materials
- 3.15 Each policy is supported by a realistic action plan. Some of the key actions include:
- Implementing an effective and innovative communications campaign
  - Continuing to work on increasing reuse and reducing waste for example by opening a new re-use centre at Brighton Household Waste and Recycling Centre and working with the Food Partnership to reduce food waste
  - Trialling food waste collection subject to securing Interreg funding
  - Rolling out communal recycling subject to the current trial being a success and securing capital funding for a wider roll out
  - Trialling commercial waste collections
- 3.16 This report seeks approval for the revised strategy and action plans as described above and as set out in full at Appendix 1.
- 3.17 This report further seeks approval also for the submission of a funding bid to the Department for Communities and Local Government (DCLG) Weekly Collection Support Scheme for the extension of communal recycling in the city centre, subject to the success of the current trial and public consultation.
- 3.18 An Interreg bid to fund a food waste collection trial has been submitted and a decision is expected in June. Match funding for the trial will be sought from revenue underspends carried forward from the 2011/12 financial year subject to approval in the Provisional Outturn TBM report to June Policy & Resources Committee.
- 3.19 Further details on both schemes and proposals for a commercial waste collection trial are set out below.

### **DCLG Weekly Collection Support Scheme**

- 3.20 In February 2012 DCLG launched its £250 million Weekly Collection Support Scheme designed to help authorities to increase the frequency and quality of waste collections and make it easier to recycle.
- 3.21 The scheme gives local authorities the opportunity to bid for funding for a range of service improvements centred around weekly collections of waste. This report seeks approval to submit a bid to extend communal recycling to the whole of the communal bin area subject to the success of the trial which commenced in April 2012. A map of the proposed area is attached as Appendix 2 and that area is the existing communal bin area

- 3.22 Early indications are that the trial, which was rolled out to 3,200 households in the Brunswick and Adelaide ward is performing well. 87% of people who responded to the consultation wanted to give the trial a go, only two complaints were received during the roll out of the bins which were both resolved quickly. Data on tonnage of material collected for recycling so far shows the scheme is resulting in higher recycling rates. An extended communal recycling service would also result in efficiency savings compared to the existing black box collection scheme.
- 3.23 The bid to DCLG is for a value of approximately £1.3 million and covers the cost of communal recycling bins, refurbishment of the existing communal bins, recycling collection vehicles, consultation and engagement including an 18 month officer post dedicated to ensuring the smooth roll out of the service, promote waste minimisation, support composting and recycling in the area.
- 3.24 The deadline for the submission of the outline bid is the 11<sup>th</sup> of May 2012. Following feedback on the bid from DCLG the deadline for the submission of the final bid is the 17<sup>th</sup> of August 2012. A decision on whether the bid is successful is expected in October 2012. This report seeks approval for the submission of the outline bid and authorisation for the Strategic Director of Place to finalise the bid following DCLG feedback for submission in August.
- 3.25 The scheme would be subject to the trial being successful and following consultation with residents. The results of the consultation would be presented to the relevant decision making Committee for consideration.

### **Food Waste Collection Trial**

- 3.26 At the Cabinet Meeting on the 8<sup>th</sup> December 2011 in principle approval was granted for the submission of an Interreg funding bid for a food waste collection trial in 2013. The bid was submitted in February 2012 and a decision on whether it is successful is expected in June 2012 at which time the council will need to enter into commitments to secure the funding.
- 3.27 If successful the bid would part fund a 12 month food waste collection trial in a suburban residential area covering approximately 6,000 households. The bid includes the cost of food waste containers, collection, consultation and communication and a 12 month fixed term dedicated post working with residents to help them minimise their waste and maximise recycling and composting rates.
- 3.28 Within the scope of the bid it has also been possible to include elements of the communal recycling trial (not to be confused with the wider roll out which is subject to the DCLG bid) which is currently wholly funded by the council. Some of the costs of the trial funded by the authority will be claimed back through Interreg if the bid is successful.
- 3.29 The total value of the bid is £1.1million of which the match funding requirement is £560,000. The majority of the match funding consists of costs already incurred by the council for example refuse collection costs, waste disposal costs and overheads. The total additional funding required to deliver the project is £160,000. Of this £140,000 capital for the purchase of food waste collection vehicles would be required in the current financial year for the trial to commence

in April 213. Match funding for the trial will be sought from revenue underspends carried forward from the 2011/12 financial year subject to approval in the Provisional Outturn TBM report to June Policy & Resources Committee.

### **Commercial Waste Collection Trial**

- 3.30 There are a number of commercial waste providers in the city which vary in terms of the quality of service provided to businesses. The council has a substantial waste and recycling infrastructure (vehicles, waste transfer station and materials recycling facility, communal bins) in place and this infrastructure can be used to collect commercial waste and thus increasing the return the investment the council has made in this infrastructure.
- 3.31 The purpose of the trial is to gauge the level of demand for a commercial waste service provided by the council. Anecdotal evidence from a range of business representatives and organisations is that there is a demand as the council is viewed as a reliable and trustworthy service.
- 3.32 To gauge the level of interest, a trial with minimal costs and risks is proposed. This means it is simple and uses the existing infrastructure and resources in place. The proposal is that businesses purchase bags from the council to place in existing communal bins and the purchase costs of the bags include all costs to the council of providing the service.
- 3.33 If approved the trial would run in part of the Business Improvement District (BID). Customers opting in to the service would purchase bags from the council, the cost of which would include collection, disposal and overheads. Customers would dispose of their bags using the existing communal bins. The service is expected to appeal in particular to small businesses who do not produce a lot of waste and have little or no room to store waste.
- 3.34 The feasibility of a commercial recycling service will be assessed at a later date and will depend on whether the council determines to roll out communal recycling across the city centre.

#### Size of Trial

- 3.35 The trial will be restricted to up to 100 small size businesses and the estimated tonnage for this number of business which are primarily retail would be 50 tonnes per annum. The council collects 75,000 tonnes of residual household waste per annum from 121,000 households and with recycling this amounts to 105,000 tonnes per annum. the percentage of the trial business waste collected would represent 0.05% of the total waste collected by the council.

#### Existing capacity

- 3.36 There are 700 communal bins in the city centre serving 26,000 households. Some of the bins are emptied daily and some less frequently. Should 100 businesses opt to receive a service from the council, the existing communal bins will have the required level of capacity and the existing vehicles and employees will be used to empty these bins. There are no capital costs to the council or significant revenue costs.



### Contractual Arrangements and Payment terms

- 3.37 The council will sell bags online via the corporate payment system.
- 3.38 The proposal is that the charge for the bags is set at £2 per bag and that this price can be adjusted by 20% with the agreement of the Director of Finance and Strategic Director of Place and in consultation with the Cabinet Member for Environment and Sustainability. The ability to adjust the charging within a 20% parameter will allow the council to be more responsive to cost changes.
- 3.39 The price of the bag will be paid up front to cover all costs and therefore debt management is not an issue. It is not intended that ongoing contractual arrangements will be entered into as the purchase of the bags will secure the ability of the business to use the existing communal containers. This will allow the council and the business the flexibility to assess the trial and should it prove not to the advantage of either party, the council will stop selling bags and the business can stop buying the bags.

### Costs

- 3.40 The proposal is that the charge for the bags is set at £2 per bag and that this price can be adjusted by 20% with the agreement of the Director of Finance and Strategic Director of Place and in consultation with the Cabinet Member for Environment and Sustainability. The ability to adjust the charging within a 20% parameter will allow the council to be more responsive to cost changes.
- 3.41 The £2 per bag would cover all the costs associated with collection and disposal of the waste, the cost of the bag itself, as well as promotion, administration and overheads.

## **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 The 2010 strategy was informed by extensive consultation with stakeholders and residents. Input was sought through member seminars, an advisory panel, focus groups and the citizens panel. This review was limited in scope to updating the existing strategy and the consultation was therefore more targeted. Specifically it consisted of:
- Consultation with the Waste Advisory Group which informed the consultation draft of the review
  - Consultation with targeted hard to reach groups who may have difficulty accessing our services
  - Consideration of the Waste Strategy Review by the Environment & Community Safety Scrutiny Committee in January 2012
  - Public consultation advertised through the media, the council website and public buildings. Due to the limited response to this consultation it has only been possible to draw qualitative rather than quantitative conclusions. Overall the public consultation showed a strong level of support for the policies and actions in the strategy (Appendix 3).
- 4.2 The consultation responses have all been considered and have informed this review.

- 4.3 The main changes proposed in the action plan, namely a food waste collection trial and the roll out of communal recycling will be subject to detailed consultation with all residents affected.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### 5.1 Financial Implications

#### *DCLG Weekly Collection Support Scheme*

- 5.2 The value of the proposed bid to DCLG is expected to cover all costs of the extension of communal recycling. Any unforeseen costs will be met from existing revenue budgets.
- 5.3 The success of the bid will be dependant on satisfying core criteria, including demonstrating that the proposal is able to deliver value for money in terms of cost effectiveness.
- 5.4 Increased recycling is expected to generate savings due to the difference in disposal costs between recycled and residual waste. Based on 2012-13 costs and expected income for recyclable waste, the net saving is expected to be approximately £90 for each tonne of waste diverted from landfill to recycling, and £60 for each tonne of waste diverted from energy recovery to recycling.
- 5.5 There is also expected to be efficiency savings in the cost of collection compared to the existing black box collection scheme.

#### *Food Waste Collection Trial*

- 5.6 The £160,000 of required match funding can be funded from revenue under spends carried forward from the 2011-12 financial year, subject to approval in the Provisional Outturn TBM report to June Policy & Resources Committee.
- 5.7 Following the initial trail any expansion of food waste collection will be subject to the demonstration of a viable business case.

#### *Commercial Waste Collection Trail*

- 5.8 There are no capital or significant additional revenue costs expected for the commercial waste trail. The cost of collection and disposal of commercial waste will be funded from existing revenue budgets and the sale of sacks.
- 5.9 The charge of £2 per bag is sufficient to cover all existing costs as well as making provision for anticipated additional costs and a contingency for unforeseen costs. With the existing infrastructure in place and capacity available there is not expected to be a significant increase in collection costs due to additional waste generated from commercial waste.
- 5.10 Following the initial trail any expansion of commercial waste collection will be subject to the demonstration of an acceptable business case.

Legal Implications:

- 5.11 The revised Waste Management Strategy and further proposals in this report seek to improve the Council's performance within the legal framework which governs the Council as a Waste Collection and Disposal Authority. In relation to commercial waste collection, s45 1(b) of the Environmental Protection Act enables Councils to collect and make a reasonable charge for collection and disposal of commercial waste.

Lawyer Consulted: Elizabeth Culbert

Date: 18/4/12

Equalities Implications:

- 5.12 A screening Equalities Impact Assessment (EIA) has been produced for the strategy review. Specific aspects of the action plan will be subject to detailed EIAs.

Sustainability Implications:

- 5.13 The strategy review identifies opportunities to significantly improve recycling and composting in the city and is critical to improving overall sustainability. It is also one of the delivery mechanisms for the OPL Framework targets on waste and sustainable materials.

Crime & Disorder Implications:

- 5.14 The strategy review has no significant implications for crime or disorder.

Risk and Opportunity Management Implications:

- 5.15 Section 4 of the Waste Strategy Review sets out risks and opportunities which the action plan seeks to address.
- 5.16 In relation to commercial waste collections a key risk will be that businesses will use the bins regardless of whether they have paid for the service through the purchase of bags. Although, some businesses may be doing this already, there is a likelihood that this could increase with the promotion and operation of the trial. For this reason, a contingency has been built in with the proposed cost structure above.
- 5.17 In addition, on board weighing on the communal bins vehicles allows the council to weigh each communal bin each time they are emptied. Data is currently held for the proposed trial area and the officers will be able to monitor the weights of the bins as the trial progresses and relate this information to the amount of bags sold and expected tonnages. This will allow the levels of any illegitimate use of the bins by businesses to be assessed. Inspections and enforcement will be carried out to minimise this risk.
- 5.18 Levels of demand for the service will need to be managed. There is a very little outlay required by the council other than the costs for the bags. Should the

scheme not prove to be popular, any surplus bags will be used by the street cleaning operations which also requires bags –there will be no losses incurred.

- 5.19 If levels of demand prove to be much higher than expected, the council will need to manage this and keep the scheme at 100 businesses for the trial. We would only expand incrementally to ensure the service can be provided within existing resources. There may come a point where the council will need to consider the expansion of the service and this may involve additional costs which will need to be covered in the price per bag. Such costs will include sales and marketing position, supervisor and administrator and additional communal bins – all dependent on the anticipated size of any service, the business case and agreement by the relevant Committee.
- 5.20 A consideration has to be that disruption in the Council's waste service, will also affect any commercial waste operations. This will mean that commercial premises will not receive a collection which could increase the impact of disruption across the city and as well as the costs of a clearing up after disruption to the council. The trial will have minimal impact as it is only for a maximum of 100 businesses in area which does not produce high waste levels in relation to other commercial outlets such as large restaurants and hotels. Service levels are consistently high, carrying out collections from over 200,000 collections per week. The level of missed collections is less than 0.05% and most of these are collected within 24 hours of being reported.

#### Public Health Implications:

- 5.21 The strategy review has no implications for public health. Any service changes will be subject to a detailed risk assessment.

#### Corporate / Citywide Implications:

- 5.22 The proposals in the review are critical to help deliver improvements to the city's sustainability which is a corporate priority. It also addresses specific priorities in the corporate plan, namely to trial food waste collection, trial communal recycling and trial a commercial waste collection service.

### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 Options for food waste collection have been considered in detail as evidenced in this report and the appendices.

### **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The reasons for the recommendations are set out in the body of the report.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Brighton & Hove City Council Waste Strategy Summary & Action Plan
2. Map showing proposed area of communal recycling trial
3. Waste Strategy Public Consultation February/ March 2012

### **Documents in Members' Rooms**

None

### **Background Documents**



**Brighton & Hove City Council**

# **Municipal Waste Management Strategy Summary and Action Plan**



**Brighton & Hove  
City Council**

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## 1 Introduction

The council adopted its waste strategy, which was developed based on extensive research looking at best practice in the UK and worldwide, in 2010. The research was narrowed down to ensure it was relevant to Brighton & Hove.

Options were evaluated based on environmental, operational, social and financial criteria using a model developed by the London School of Economics. The strategy was subject to wide scale consultation and an independent sustainability appraisal which considered the social, environmental and economic consequences.

The strategy was reviewed in 2012 in light of some of the changes set out below.

The One Planet Framework developed by the City Sustainability Partnership which the council as a key partner is working towards. It sets out priorities for the city in relation to sustainability and identifies actions to deliver improvements. It is based around ten principles:

- Zero carbon
- Zero waste
- Sustainable transport
- Local and sustainable materials
- Local and sustainable food
- Sustainable water
- Natural habitats and wildlife
- Culture and heritage
- Equity and fair trade
- Health and happiness

The strategy review incorporates the principles and actions surrounding zero waste and local and sustainable materials so that it becomes the delivery mechanism for these two aspects of the One Planet Framework.

The government waste review and changes to legislation all seek to encourage greater integration of the management of household and commercial waste. Fines for councils for disposing of too much waste to landfill under the Landfill Allowance Trading Scheme are due to be abolished by 2012/13. Landfill tax, which applies to waste collected by the private sector as well as councils, will be the main fiscal incentive to discourage landfill disposal. These changes create a more level playing field for the private and public sector in providing commercial waste service.

The EU framework directive on waste requires member states to achieve 50% recycling of household waste by 2020. In the UK individual local authorities have not been set individual recycling targets. However Part 2 of the proposed Localism Bill gives ministers power to pass EU fines down to local authorities, although these provisions have been significantly tightened to ensure that this will only happen after a full review by an independent panel.

The 2010 strategy set out a commitment to carry out more research on food waste collection to help inform options for dealing with this waste stream. This research has been concluded and has informed this review.

All the information collated from the above points was used to identify risks and options and/or opportunities which in turn informed the development of this updated strategy and action plan.

This document summarises:

- Objectives setting out our high level ambitions
- Policies on key areas where we want to improve.
- Targets for total waste produced, recycled and composted
- An action plan detailing how we will deliver the strategy.

Further background information can be found in the following documents:

- 2010 Municipal Waste Management Strategy and Action Plan on which this review is based
- Food Waste Research and Life Cycle Analysis which considers options for collecting food waste and their environmental performance compared to the current service
- The Waste Strategy Review which brings together all the information which has informed this summary and action plan.

All these documents are available on our website [www.brighton-hove.gov.uk/waste\\_strategy](http://www.brighton-hove.gov.uk/waste_strategy). Hard copies can be requested by contacting the Environment Contact Centre on 292929.

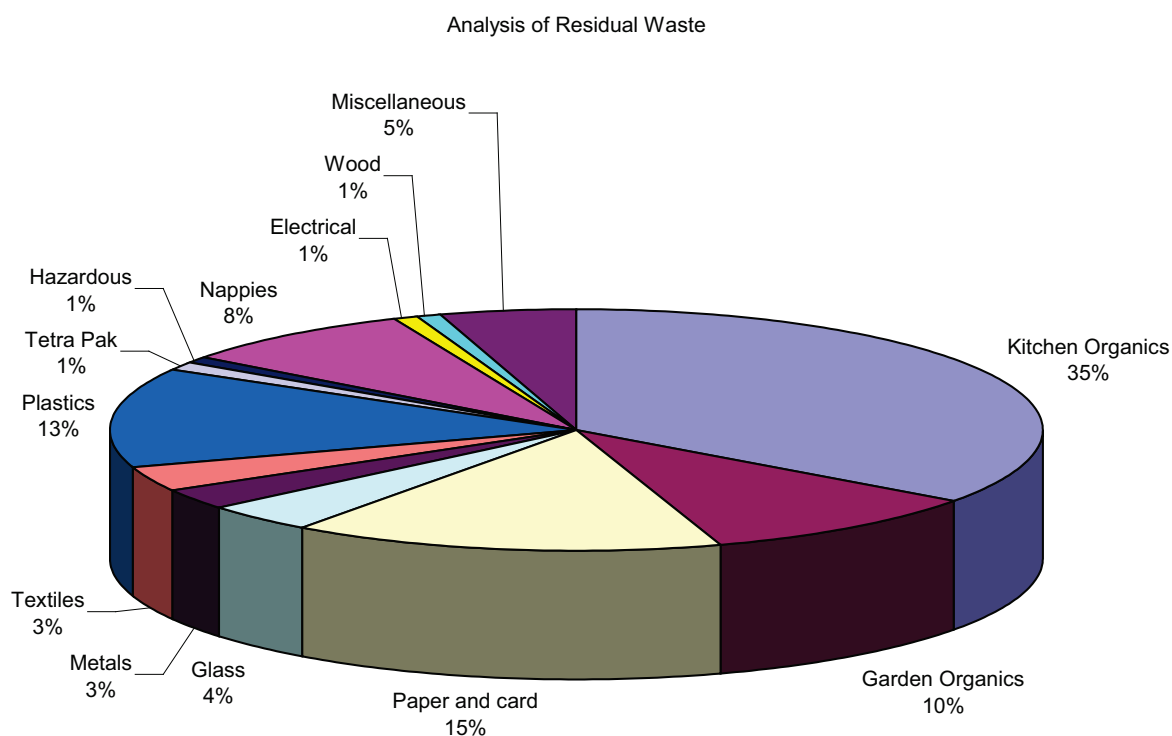
The 2010 strategy was informed by extensive consultation with stakeholders and residents. Input was sought through member seminars, an advisory panel, focus groups and the citizens panel. This review was limited in scope to updating the existing strategy and the consultation was therefore more targeted. Specifically it consisted of:

- Consultation with the Waste Advisory Group which informed the consultation draft of the review
- Consultation with targeted hard to reach groups who may have difficulty accessing our services
- Consideration of the Waste Strategy Review by the council's Environment & Community Safety Scrutiny Committee
- Public consultation advertised through the media, the council website and public buildings. Due to the limited response to this consultation it has only been possible to draw qualitative rather than quantitative conclusions.

A copy of the consultation document is available on line.

## Current Performance

In 2007 we analysed the household waste we generated in Brighton & Hove. The results in terms of the composition of the waste we throw away, and do not recycle or compost, is summarised in the figure below.



**Fig 1 – analysis of residual waste**

While the waste composition may have changed slightly since this work was done, it is unlikely to have changed significantly.

Work we have done since shows that:

- There are still many recyclable materials which we collect (paper, card, cans, plastic bottles, glass) that are not recycled by some residents. If everyone recycled all these materials, it would save the city money as it is cheaper to recycle these materials than it is to dispose of them.
- In line with national figures, over a third of the waste we throw away is food waste, a lot of which could have been eaten.

In 2010/11 on average every household produced 602kg of residual waste (waste that is not re-used, recycled or composted) per year, down from 656kg in 2007/08. The total amount of waste collected by the council has decreased from 112,310 in 2007/08 to 106,897 in 2010/11.

While total waste has gone down, recycling rates peaked at 29.5% in 2008/09 but declined to 27.7% in 2010/11. This revised strategy seeks to reverse the reduction in recycling rates.

### Strategy objectives

The objectives of the strategy have remained the same, namely to:

- reduce the overall volume of household waste generated, and maximise reuse, recycling, composting and recovery of waste
- send as little waste as possible to landfill
- ensure compliance with legal requirements relevant to waste management and enforce these consistently
- protect the environment and enhance its quality
- improve our service to residents and businesses while ensuring services continue to improve and represent value for money.

### Future Targets

The existing strategy sets household waste recycling and composting targets for 2015/16 and 2020/21 of 40% and 45% respectively. Achieving these targets requires changes to existing services, in particular food waste collection.

Based on evidence from other authorities and the research done as part of this review the types of changes that would be required to achieve 50% recycling have been clearly identified. However the current economic climate and the budget constraints on the council mean that it will take some time to implement the changes to achieve this higher recycling/ composting rate. The proposed targets set out below reflect these constraints.

Achieving the OPL target of 70% recycling by 2025 will require further changes to packaging, the waste management industry and consumer behaviour.

The proposed targets for the revised strategy are set out in the table below. They assume a 10% reduction in the amount of waste produced per household between now and 2025.

Target	2008/09 Actual	2010/11 Actual	2012/13 Target	2015/16 Target	2020/21 Target	2025/26 Target
<b>Recycling &amp; Composting</b>	29.2%	27.7%	32%	40%	50%	70%
<b>Energy Recovery</b>	21.39%	26.8%	56.1%	55%	48%	28%
<b>Landfill</b>	49.39%	45.6%	11.6%	5%	2%	2%
<b>Kg household waste per household</b>	610	602	602	590	571	542
<b>Kg residual waste per person</b>	433	434	409	354	286	163

## 2 Strategy Policies

### 2.1 Policies

In order to achieve the targets we have set policies in seven specific areas:

1. Service quality and engagement with residents, businesses and communities
2. Waste minimisation and prevention
3. Increasing rates of re-use
4. Increasing recycling rates
5. Increasing compost rates
6. Waste from businesses and other organisations
7. Local and sustainable materials

We have developed an action plan for the next three years to deliver each of these policies which are set out in the following sections. As yet no quantitative targets have been set relating to local and sustainable materials. It is a new area within the strategy which requires further work and consultation as set out in the action plan before meaningful targets can be set.

## 3 Policy 1: Service Quality and Engagement with Residents, Businesses and Communities

### 3.1 Objectives:

- communicate and engage effectively with our residents, businesses and other stakeholders
- continuously improve service quality
- ensure all our services are accessible

### 3.2 Background

The services set out in this strategy affect every resident and visitor to the city. Ambitious recycling and composting targets will only be met if residents reduce, recycle and compost as much of their waste as possible. This is dependent on the provision of a high quality, reliable service and effective engagement and communication with our residents.

### 3.3 Actions

Outcome	Action	Target
Effective engagement with stakeholders in the development and delivery of the waste management strategy for the city	Further develop the role of the Waste Advisory Group (WAG) as an independent stakeholder group to advise on city-wide waste issues, and issues relating to local and sustainable materials	WAG established as critical reviewer  To be funded from existing resources
An active community and voluntary sector working effectively with the council to deliver the waste strategy	Continue to support the Community Waste Forum (CWF) with a view to the group becoming firmly established in order to help deliver waste related projects in partnership with the council and where appropriate bid for funding for projects.	Engage effectively with neighbourhood partners including Youth Council, schools and colleges.  Deliver projects within agreed timescales.  Pursue grant funding applications for community waste projects. To be funded from existing resources.
Community projects resulting in reduced waste, increased recycling, reuse and composting	To work with the Food Partnership and CWF to create community composting schemes in areas of the city where residents do not have access to gardens.  Further consultation to be undertaken with residents groups prior to considering roll out to wider city area.  To attend community engagement events to promote reducing waste, increasing recycling, composting and reuse.  To promote reuse events and support where appropriate.	Engage effectively with neighbourhood partners, including Friends groups, to reduce food waste and increase composting.  To reduce waste and increase recycling.
Further improve responsiveness of the service.	Implement technology solution which enables direct communication between front line staff and the contact centre. This will result in improved service for the customer and improved efficiency	Implement technology solution by April 2013.  Business case prepared / first stage of work (improving back office) being implemented as part of ICT strategy.

Outcome	Action	Target
<p>Improve reliability of refuse and recycling service</p>	<p>Vehicle replacement programme for which funding has been approved will lead to a more reliable fleet and improved reliability.</p> <p>Mobile technology as set out above will also improve service reliability.</p>	<p>Measure through customer satisfaction survey and service statistics.</p> <p>Reduce number of missed bins by 50%.</p> <p>Collect all missed bins within 24 hours of reporting.</p> <p>Vehicle replacement program is funded/ mobile technology is subject to business case.</p>
	<p>Develop a clear and effective communication strategy focussing on key messages in relation to waste and other areas eg those in the OPL framework.</p> <p>Target messages at specific audiences eg target waste messages at areas with worst performance.</p> <p>Assess different communication channels for effectiveness and cost</p>	<p>Agree communications strategy by March 2012, review annually.</p> <p>Strategy to be delivered within existing communications budgets.</p>
<p>Effective and innovative communications to change behaviours resulting in reduced waste, increased recycling and composting</p>	<p>Deliver clear and effective communications plan including:</p> <ul style="list-style-type: none"> <li>• Targeting worst performing areas in terms of recycling</li> <li>• Reducing food waste</li> <li>• Increasing composting</li> </ul> <p>Communications plan to be updated annually.</p>	<p>Contribute to increasing recycling rate to 32%.</p> <p>Plan to be delivered within existing communications budget.</p> <p>Updated web pages and use of social media.</p>



Outcome	Action	Target
Reduced problems associated with studentification in relation to refuse and recycling.	Continuation of work with both University of Brighton and University of Sussex and expanded practical work within university halls and private accommodation. Program includes: <ul style="list-style-type: none"> <li>• Presence at university freshers fairs offering help and advice to new students</li> <li>• Communication through university housing office, email, landlord list etc.</li> <li>• Co-working with Environmental Health focusing on problem households in residential areas</li> <li>• Publicity through mailouts to student database and via managing agents in the city.</li> <li>• Reuse events held by Universities.</li> </ul>	Reduced complaints regarding 'studentification'.  Increase recycling and reuse.  Funded from existing resources
Increased recycling of WEEE.	Work with Velioa South Downs Environmental to install WEEE recycling banks at recycling points in city centre locations.	To increase WEEE recycling and reduce waste.
Wastebuster & Education Program	Wastebuster contracted by BHCC to deliver key stage 1 & 2 environmental education with a diverse range of resources to schools in Brighton and Hove.	Increased awareness amongst children and schools.  Reduced waste, increased recycling, reuse and composting.

## 4 Policy 2: Waste Minimisation and Prevention

### 4.1 Objectives:

- promote and campaign for the reduction of food waste working with the Food Partnership
- encourage households to reduce their waste by limiting the size of the residual waste container where possible
- only collect waste which fits in the container provided
- encourage home composting and not collect garden waste with residual waste.
- engage with local retailers and trading standards to encourage reduced packaging

### 4.2 Background

Effective waste minimisation requires action at source, for example, by manufacturers making their products more durable or re-usable. It also requires retailers to reduce packaging of their products and consumers to change their behaviour, for example, by buying products with less packaging and buying more durable items plus re-using items where possible.

Countries with the lowest rates of waste generation generally have measures in place at a national level, for example, requiring manufacturers to put returnable deposits on plastic and glass bottles.

At present the council's powers to reduce the amount of waste are limited to encouraging customers to change their behaviour.

### 4.3 Actions

Outcome	Action	Target
Reduce amount of food waste produced by householders	<p>Continue work with Food Partnership and other partners with primary aim of educating the public on the issue of food waste, how to reduce it and promotion of home composting.</p> <p>This will be actioned by the following:-</p> <ul style="list-style-type: none"> <li>• Cooking demos at large public spaces.</li> <li>• Promotion of home composters and subsidised scheme offered by the council.</li> <li>• Continued updating and maintenance of the council's love food hate waste webpage to include new videos, leftover recipe ideas and tips for correct food storage.</li> </ul> <p>Continue to work with partners in the lead up to the food waste collection trial scheduled for April 2013.</p>	<p>Reduction in food waste across the city.</p> <p>Increase in home composter and food waste digester sales leading to reduced green and food waste being collected.</p> <p>Increased Community Composting Programme leading to further communities taking up the scheme.</p>
Prevent illegal disposal of waste (both household and business waste)	Effective enforcement action against illegal waste disposal, working with businesses where possible.	<p>Reduction in number of incidents in waste out at the incorrect time/day and number of flytipping incidents.</p> <p>Funded from existing budgets</p>

## 5 Policy 3 : Increasing Rates of Re-use

### 5.1 Objectives:

- improve partnership working with the community and voluntary sector to encourage increases in re-use rates
- promote re-use, including online schemes and projects in partnership with businesses.

### 5.2 Background

Charities and the community sector play a significant role in collecting and refurbishing items (such as furniture), making them suitable for re-use and delaying disposal. Brighton & Hove is home to many charities engaged in such activities. The work of these organisations complements the objectives of the council as well as providing a resource for residents.

### 5.3 Actions

Outcome	Action	Target
Increase re-use and recycling of textiles with benefit of income retained in Brighton & Hove, supporting Brighton & Hove charities.	Review existing textile collection arrangements from bring sites.  Develop service which maximises reuse, recycling of textiles and income from textiles. Income to provide opportunities to support local charities.	Implement revised textile bring bank scheme October 2012.  No cost.
Increase rates of re-use through local re-use charities	Further develop re-use plans for the city with community sector partners.  Raise profile of groups through council channels.  Develop reuse events annually with universities targeting students at end/ start of term.	Re-use proposals to be published through the CWF.  Funded from existing budgets.
Open re-use facility at Brighton HWRS	Let contract to voluntary sector partner (through open competitive process) to operate re-use scheme at Brighton HWRS on completion of site redevelopment.	On completion of site redevelopment Autumn 2012.  No cost.
Increase re-use (and recycling) of bulky items	Award contract for bulky reuse , recycling and household waste collection which maximises reuse and recycling.	New contract to be awarded by July 2012.  No cost – self funding chargeable service.

## 6 Policy 4: Increasing Recycling Rates

### 6.1 Objectives:

- Provide on-going, high profile and effective communication and engagement to increase recycling of materials for which we already provide a collection service including paper, card, glass, tins, cans, aerosols, plastic bottles and household batteries. This will involve work with all sectors of the community, including young people and schools.
- Review markets and opportunities to increase the number of materials recycled
- Ensure recycling services are sustainable, both financially and environmentally.
- Evaluate trial of communal recycling service in the city centre. Extend service to whole of city centre subject to success of trial and funding.

### 6.2 Background

Many materials that can be recycled (paper, card, tins, cans, aerosols, plastic bottles and glass) still end up being thrown away with residual waste. Apart from the environmental benefits of recycling it is also cheaper to recycle than to dispose of residual waste.

People who do not recycle are, in effect, being subsidised by those who do. In order to minimise cost increases we need to make sure everyone does what they can.

### 6.3 Actions

Outcome	Action	Target
Trial communal recycling in Brunswick/ Adelaide Ward	Monitor satisfaction and recycling rates to assess effectiveness of changes.  Roll out of scheme to whole of communal bin area subject to success of trial, public consultation and funding.	Trial to run for up to 12 months from April 2012.  Complete roll out by March 14.
Recycling of clean aluminium foil	Add aluminium foil to list of materials that can be collected for recycling.	December 2012.
Determine feasibility of adding mixed plastics to the recycling service	Feasibility of adding materials to recycling service kept under continuous review.	Decision by December 2012  Changes subject to costings & business case.
Increase recycling in worst performing areas	Targeted communication campaign encouraging people to recycle more and produce less waste, working in partnership with community and voluntary sector where appropriate.	Refer to communications under policy 1.

## 7 Policy 5: Increasing Composting Rates

### 7.1 Objectives:

- promote home composting and provide subsidised home compost bins/digesters for garden and food waste
- encourage and support community composting schemes
- encourage householders to reduce the amount of food waste they produce
- trial separate food waste collection subject to funding

### 7.2 Background – food waste

Food waste makes up a third of the waste we throw away by weight. Much of this could have been eaten and it is estimated that on average each household in the UK throws away £680 worth of food per year. There is some evidence that nationally less food is being wasted through increased awareness and increasing food prices, but it remains a significant component of the waste stream.

The two ways of dealing with food waste are:

- To reduce the amount of food thrown away, saving both money and reducing the environmental impacts associated with growing, transporting and disposing of uneaten food. However, changing behaviour is difficult to achieve in the short term.
- To collect food waste separately and compost it in a purpose built facility.

Reducing food waste will continue to be a focus of the strategy working with the Brighton & Hove Food Partnership. However, food waste needs to be collected separately and composted in order to achieve the recycling and composting targets of 40% for 2015/16 and beyond.

Research on food waste collection schemes concludes that:

- Food waste collections are now widespread and established throughout the UK and work well in many areas
- Food waste collections are easier to implement in suburban areas than in areas of high housing density
- Anecdotal evidence suggests that collecting food waste separately results in waste minimisation as householders become more aware of how much food they throw away
- The tonnage of food waste collected per household is generally lower in more densely populated areas and in more deprived areas
- There is a marginal environmental benefit associated with separate collection and treatment of food waste compared to not collecting it separately. The benefit is less than if residual waste were to be disposed of to landfill, but most of it is sent for incineration with energy recovery.

In summary, the research has shown that food waste collections are well established and effective at significantly increasing recycling rates and reducing waste. Separate food waste collection would result in a marginal overall environmental benefit.

Food waste collections are most likely to be successful in the more suburban areas rather than in the city centre communal bin area.

#### 7.4 Background - garden waste

Free garden waste collections lead to an increase in the total volume of waste put out for collection rather than garden waste being diverted from residual waste. This increases costs for the council as it reduces the incentive to compost at home.

Home composting is the most sustainable way of dealing with garden waste. It avoids costs and environmental impacts associated with the collection of the waste and the transport of the compost.

Experience elsewhere in Europe has shown it is extremely difficult to encourage home composting where the garden waste collection is free.

Our policy is therefore to promote home composting and subsidise compost bins rather than provide a collection service.

#### 7.5 Actions

Outcome	Action	Target
Trial food waste collection service	Trial a food waste collection service in suburban area to determine how such a service could work more widely in Brighton & Hove, in particular: <ul style="list-style-type: none"> <li>• how residents find the service</li> <li>• its impact on increasing recycling rates and reducing total waste produced</li> </ul>	External EU funding bid submitted in February 2012. Decision expected June 2012.  Run trial for 12 months from April 2013.
Increase number of community composting schemes for food waste and garden waste	Work with Community Waste Forum and residents groups to encourage the establishment of community composting schemes. Support schemes with promotion, the provision of compost bins and kitchen caddies. Publicise schemes and invite further participation.	Contact at least 20 identified community/Friends groups with in city parks initially by August 2012.  Target of how many schemes can be set up will be subject to response.  Continue working with the Food Partnership in response to community composting requests.
Increase usage of home composters and food waste digesters	Promotion of home composters and food digesters through various media: <ul style="list-style-type: none"> <li>• Food Partnership events</li> <li>• On line, via Facebook and Twitter</li> <li>• Community events attended by Cityclean or community partners</li> </ul>	Targets for sales of bins: 250 Food composters and wormeries sold 750 Garden Composters sold.  Recent drop in sales could be attributed to saturation of garden composters from previous successful years of sales. Next year could have a lower due to further saturation.  Funded from existing budgets

## 8 Policy 6: Waste from Businesses and Other Organisations

### 8.1 Objectives:

- Trial collection of waste from businesses, targeting small businesses in the first instance
- Assess the feasibility of collecting recycling from businesses.

### 8.2 Background

While the council's primary responsibility is for waste from households, how waste from businesses and other organisations is managed has an effect on the cleanliness of the city's streets, the local environment and the economy.

The government review encourages local authorities to take a greater responsibility in managing waste from businesses, and changes to legislation mean we can now look in to the possibility of providing a waste and recycling service for businesses. Many small businesses have told us they would like the council to provide a comprehensive waste and recycling service. This would have the added benefit of reducing the number of vehicles driving through the city collecting waste.

### 8.3 Actions

Outcome	Action	Target
Provision of commercial refuse service	Trial commercial refuse collection service for small to medium sized enterprises and starting with Business Improvement District (BID)  Assess success of service and consider providing more widely subject to the success of the trial.	Launch commercial refuse collection trial October 2012.
	Develop business case for commercial recycling collection, particularly for small to medium sized enterprises and starting with Business Improvement District (BID)	Assess feasibility of providing recycling service by October 2012 followed by decision on whether to trial service.
Lead on joined up approach to management of all waste streams (household, commercial and industrial and construction waste) to ensure it is more sustainable	Work with South East 7 (SE7) group of authorities to identify infrastructure, material flows and business opportunities in relation to waste and recycling on a regional level	Project plans and business cases for priority materials complete by Spring 2012.



## 9 Policy 7: Local and sustainable materials

### 9.1 Objectives:

- To promote, encourage and facilitate all goods and materials used, whether construction or consumer goods, are made from renewable or waste resources with low embodied energy and, where possible, sourced locally.

### 9.2 Background

This is a new policy in the strategy for which covers local authority procurement, planning and citywide issues. A lot of progress has been made in these areas as set out below.

#### **Local Authority operations**

##### *Goods and services*

In January 2012 the council adopted its new Sustainable Procurement Policy which is aligned to the principles of One Planet Living. It identifies specific outcomes relevant to local and sustainable materials as follows:

#### **Sustainable Procurement Policy, Outcomes for 2011/12**

- Create and implement an action plan to adopt minimum buying standards for a range of product groups
- Set detailed baseline targets to monitor and increase the amount of these products we buy,
- Adopt a Sustainable Procurement Policy for Timber and Wood derived products

#### **Sustainable Procurement Policy, Outcomes for 2011/12**

- Only procure energy from verifiable renewable sources
- A reduction in the waste created through our operations and service delivery
- A reduction in the volume of paper we buy across the council, by 10%
- Ensure suppliers utilise reusable or recyclable packaging and where this is not possible reduce packaging and encourage supplier take back.
- Ensure all relevant contracts, where appropriate, implement plans to encourage the use of low carbon modes of transport, fuel efficient driving, and reducing the need to travel.
- Adopt minimum buying standards that support and give preference to products and suppliers which embrace sustainable farming methods, healthy choices and improved animal welfare.
- Continue our support for a Fair Trade City by increasing the amount of fairly traded products we buy.
- Ensure that the council and its suppliers support the ETI's Base Code, as a minimum.
- Adopt buying standards that support and give preference the most water efficient products in order to reduce water consumption
- Increase the local economy spend<sub>1</sub> to 55% by working more effectively with diverse suppliers<sub>2</sub>
- Continue to remove the barriers for SME's and the Third Sector to ensure they are encouraged and able to bid for the Council's business

These targets are monitored to measure the impact of the policy and are reported on an annual basis.

## Planning

In relation to planning the authority has a specific policy on reduction, re-use and recycling during demolition and design and construction of new developments (Waste Local Plan Policy 11). It also has specific policies in the emerging Waste & Minerals Plan relating to energy efficiency and sustainable construction. These policies will help the council to:

- Minimise waste produced during construction projects and manage waste that is produced in line with the waste hierarchy
- promote and enable use of sustainable building materials in construction projects and to discourage the use of high impact and polluting materials
- consider life cycle impact of buildings in design so that any waste materials resulting from deconstruction or decommissioning of buildings can be recovered, re-used or recycled.

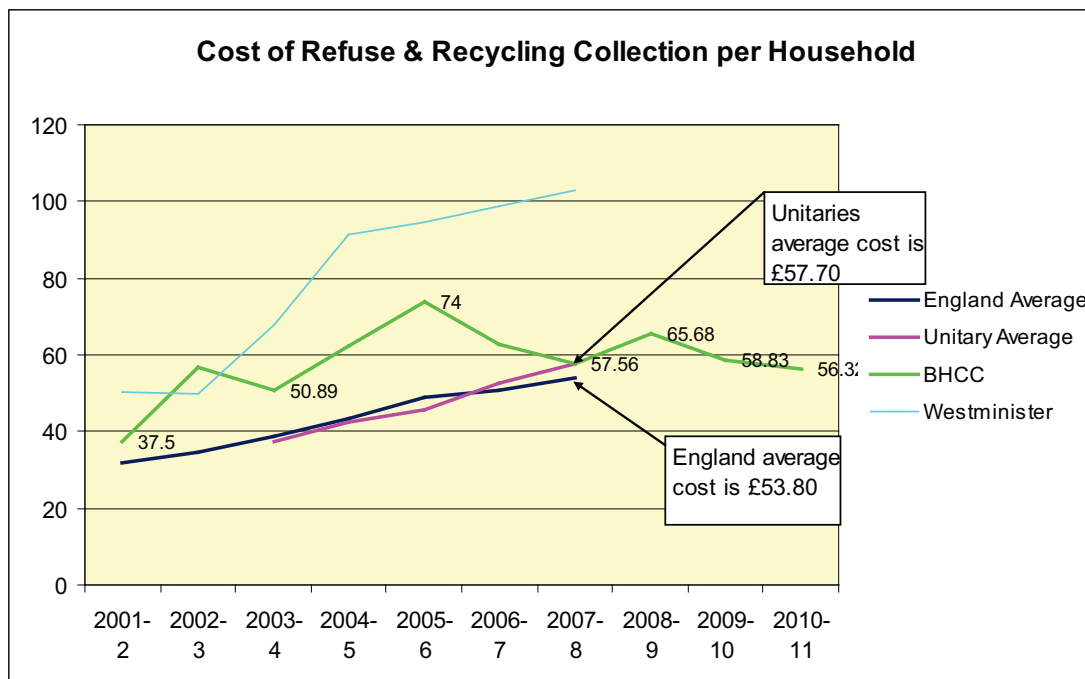
## 10 Costs

The council employs 350 to 400 staff to provide refuse, street cleaning and recycling services with more people being employed in the summer particularly on beach cleansing.

The annual budget is broken down as follows:

Refuse Collection	£2.9 million
Recycling Collection	£2.9 million
Street Cleansing	£6.1 million
Waste disposal/ recycling	£11.2 million
<b>Total</b>	<b>£23.1 million</b>

The efficiency of the collection service and street cleansing service has improved markedly since 2003. Waste collection costs over time are shown in the figure below. The overall decline in collection costs has been realised while at the same time rolling out a comprehensive kerbside recycling service. 2007/08 is the last year for which benchmarking data on costs is available.



### 4.1 Waste Disposal Costs

In 2003 the council, together with East Sussex County Council entered in to a 25 year PFI contract with Veolia to develop the required infrastructure to handle both council's wastes in a sustainable manner. The value of the contract is approximately a billion pounds and includes:

- The construction of a new waste transfer station and recycling facility in Hollingdean, which was completed in 2009.
- The construction of a new energy recovery facility for residual waste in Newhaven which is due to be completed in 2011.

Under the contract Veolia are responsible for the composting, recycling, reuse, energy recovery and disposal of waste collected by the councils.

The costs associated with the treatment or disposal of a tonne of waste is summarised in the table below. It shows the clear financial incentive to reduce waste and to maximise recycling and composting.

Projected Waste Treatment Costs - Costs of treatment options in comparison to recycling

Treatment option	Net cost difference/ tonne (£)			
	2011/12	2015/16	2020/21	2025/26
Recycling	£	£	£	£
Composting	£23	£26	£30	£33
Energy recovery	£39	£43	£48	£53
Landfill disposal	£61	£94	£107	£108

\* These costs differences are variable depending on factors including income from recycle, electricity and on inflation.

Based on current costs reducing the total amount of waste produced by 1% will result in a saving of £110k per annum, every tonne reduction saves £101

## 11 Monitoring and Review

The waste strategy will be monitored through a number of key performance indicators which are based on the former National Indicator Set (which has been abolished).

There are a number of NIs relating to waste and recycling. These also track performance against effectiveness of the waste strategy policies and objectives. These are summarised in table 3 and included in table 4, which details waste strategy monitoring.

**Table 3: National Indicator Set**

National Indicators	Description
191	Residual waste per household (Kg)  Rationale – To measure progress in reducing the level of residual household waste production
192	The percentage of household waste sent for re-use, recycling or composting  Rationale – To maximise the percentage of waste produced that is re-used, recycled and composted
193	The percentage of municipal waste sent to landfill  Rationale – To measure the proportion of waste which is landfilled and divert an increasing proportion of waste away from landfill

These indicators will be published by the council on an annual basis. Progress against them can also be tracked monthly in order to monitor any emerging trends.

## 11.2 Monitoring progress against waste strategy policies

In order to track progress against the effectiveness of policies a number of local indicators have been developed. These monitor the main areas of improvement resulting from the seven key policies within the strategy. Regular reporting against these, combined with regular progress updates on the detailed action plans, will create a sense of momentum and keep all stakeholders informed.

**Table 4: Waste strategy policy monitoring arrangements**

Policy	Monitoring arrangements
1 Service Quality and Community Engagement	<ul style="list-style-type: none"> <li>- The number of Stage 1 and 2 complaints made against the waste and recycling service.</li> <li>- Missed bins.</li> <li>- Missed recycling boxes/ bins.</li> <li>- % of people satisfied with household residual waste collection.</li> <li>- % of people satisfied with recycling collection.</li> <li>- Cost of residual waste service per household per year.</li> <li>- Cost of recycling per household per year</li> </ul>
2 Waste minimisation	<ul style="list-style-type: none"> <li>- Number of composters and digesters purchased.</li> <li>- Kg of waste produced per person (waste and recycling).</li> <li>- NI 191 Residual waste per household.</li> <li>- Progress of food waste campaign developments.</li> </ul>
3 Re-use	<ul style="list-style-type: none"> <li>- Number of local re-use, repair, recycling composting and remanufacture initiatives.</li> <li>- NI 191 Residual waste per household.</li> <li>- NI192 The percentage of household waste re-used, recycled and composted.</li> </ul>
4 Recycling	<ul style="list-style-type: none"> <li>- The percentage of household waste recycled.</li> <li>- NI 192 The percentage of household waste re-used, recycled and composted.</li> <li>- Recycling participation rates.</li> </ul> <p>% of households served by a kerbside collection of at least five recyclables.</p> <ul style="list-style-type: none"> <li>- Number of materials being collected for recycling.</li> </ul>
5 Composting	<ul style="list-style-type: none"> <li>- Number of home composters and digesters purchased.</li> <li>- The percentage of household waste composted.</li> <li>- NI 192 The percentage of household waste re-used, recycled and composted.</li> </ul>
6 Waste from Businesses & Other Organisations	<ul style="list-style-type: none"> <li>- Success of commercial refuse collection trial (uptake/ customer satisfaction)</li> </ul>
7 Local & Sustainable Materials	<ul style="list-style-type: none"> <li>- Indicators to be developed.</li> </ul>

Progress against these indicators will be monitored and reported on an annual basis.

**Waste Strategy  
Public Consultation  
February/ March 2012**

**Analysis Report**

DRAFT

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## **Waste Strategy Consultation Public Consultation February/ March 2012**

### **1 Background**

In December 2011 Cabinet gave permission to consult on the review of the Municipal Waste Management Strategy. The strategy was reviewed in light of:

- The council's priorities and the city's One Planet Framework
- The Government's national review of waste policy published in June 2011
- Proposed changes to waste legislation including the Landfill Allowance Trading Scheme (LATS)
- Proposed EU recycling targets for the UK which may have implications for local authorities.
- The findings of research into options for dealing with food waste.

The scope of the consultation of this review was limited as the original strategy in 2010 was subject to extensive public consultation. Further consultation will be carried out on specific strategy proposals, in particular communal recycling in the city centre and food waste collection.

### **2 Headline Results**

36 responses were received, 35 through the council's consultation portal and 1 by mail. It is difficult to make firm conclusions from the small number of responses which was expected in response to a strategy document.

Responses are given for each question combined with an analysis of respondents' comments about various issues.

### **3 Methodology**

A survey was designed to ask people how they feel about an update to the council's waste management strategy document which was published in 2010.

The survey was loaded onto the Brighton & Hove City Councils' Consultation Portal and advertised on the council's website and through City News which currently reaches most households in the city. Postcards advertising the consultation were also placed in public buildings throughout the city.

### **4 Full Results**

After listing strategy objectives, respondents were asked a series of questions:

#### **Q Do you think these objectives are relevant?**

Eighteen people answered this question and most of these 9(6) thought the objectives were relevant. Respondents were then asked

**Q Are there any objectives that should be removed, changed or updated?**

Comments were made as follows:

**Compliance** should be encouraged, eg only putting out waste in acceptable forms. This respondent did not think that the “Oops” tape ensured compliance.

**Education:** two respondents felt that it was important to educate about waste reduction, for example returning packaging and the reasons why waste reduction is important – less energy used and emissions produced and the prevention of virgin resource depletion, more recycling education in schools..

*“I have spoken with local teachers and there is virtually nothing done about recycling in schools. It was better when I was at school in the 1970s! We will never change people’s attitudes to waste and recycling unless we start educating people from a young age that reusing and recycling is the norm, not landfill which should be seen as an embarrassing absolutely last resort.”*

**Food waste:** three respondents showed concerns that there should be more emphasis on food waste:

*“There should be more emphasis on domestic food waste, as this is by far the largest problem, the 'easiest' to understand and possibly the easiest to resolve.”*

One of these respondents congratulated the council on introducing a food waste trial.

Targets for the waste strategy were set out in a table for:

- Recycling and composting
- Energy recovery
- Landfill
- Kg household waste per household
- Kg residual waste per household

Respondents were then asked:

**Q Do you think these recycling and composting targets are:**

Thirteen people answered this question, 6 of these thought the target too high and 5 about right.

**Q Do you think the targets for reducing the total amount of waste produced per household are:**

Twelve people answered this question, this time only 1 thought the target too high and most people (10) thought it was about right.

The policies in the Waste Strategy were then described and questions asked about each of the six policies, together with some questions about composting and food waste (under Policy 5):

### **Policy 1 – Service quality and engagement with residents, businesses & communities**

**Q To what extent do you agree or disagree with the actions to further improve service quality and engagement with residents, businesses and communities?**

Fifteen people answered this question, most of these (12), either strongly agreed or tended to agree with the Policy.

### **Policy 2 – Waste minimisation and prevention**

**Q To what extent do you agree or disagree with the actions to further improve waste minimisations and prevention?**

Seventeen people answered this question, most of these (13), either strongly agreed or tended to agree with the Policy.

### **Policy 3 – Increasing re-use**

**Q To what extent do you agree or disagree with the actions to further increase re-use?**

Seventeen people answered this question, most of these (12), either strongly agreed or tended to agree with the Policy.

### **Policy 4 – Increasing recycling rates**

**Q To what extent do you agree or disagree with the actions to further increase recycling?**

Twenty-two people answered this question, most of these (17), either strongly agreed or tended to agree with the Policy.

### **Policy 5 – Increasing composting rates**

**Q Does your property have access to outside space (including a patio or balcony)?**

Twenty-two people answered this question, most of these (20), have access to outside space.

**Q Do you currently compost any of your food waste at home?**

Twenty-two people answered this question, half compost and half don't.

**Q If a separate food waste collection service was introduced along side refuse collection, would you be prepared to separate your food waste from your other household waste?**

Most respondents (18 out of 22) would compost under certain circumstances. And people were then asked what would those circumstances be? Three people said they would just do it! Common themes raised were:

**Vermin:** three people mentioned their concerns that any scheme must take “*strict consideration ... of how to implement without encouraging vermin/ seagulls*”

**Sanitisation and storage in the home:** Clean containers for the kitchen were mentioned four times which can be summarised in the following:

*“If we are provided with a robust, identifiable, easy to clean container for food waste in the kitchen, with a supply of compostable bags”*

**Frequency of collection:** One respondent mentioned that a weekly collection is essential because Brighton gardens are too small for compost heaps.

**Q To what extent do you agree or disagree with the actions to further increase composting?**

Twenty-one people answered this question, most of these (14), either strongly agreed or tended to agree with this policy. Respondents were then asked a series of questions about composting.

**Q Do you have a garden?**

**Q If yes, how do you currently dispose of your garden waste?**

Thirteen respondents have a garden, 1 composts at home and 1 at the local tip.

**Q Are you aware that you can buy subsidised compost bins from the council?**

Twenty-one people answered this: fifteen have a compost bin (71%), of these 7 bought theirs from the council

**Policy 6 – Waste from business and other organisations**

**Q To what extent do you agree or disagree with the actions to collect waste from business and other organisations?**

Fourteen people answered this and most (10) either strongly agreed or tended to agree with the policy objective.

The final question asked:

**Q Do you have any further comments about the waste strategy?**

Responses have been themed as follows:

## **Recycling**

There are uncertainties about what and how to recycle:

*“In our household we are uncertain about juice cartons - are they recyclable as Cardboard”*

*“There is no clear information around what can be recycled and in the past when I have left in my recycling box for collection, some items have not been taken.”*

There are also issues with management of recycling in the home:

*“We already have three bins within the kitchen: one for material for the allotment compost heap, one for re-cycling and one for waste to be taken to the bin at the end of the road - but having all this within the house is not by any means convenient nor manageable. Making processes as simple as possible to organise would be of greater use than instruction or preaching - especially for a Council whose own waste production is phenomenal”*

*“Our main concern is with the local (in house or kitchen) storage and management of recyclable materials and kitchen waste. Participating homes should be provided with one or two council-branded, hygienic and easy to use 'hoppers' for all categories of recyclable materials - glass, kitchen waste and everything else”*

And the range of recyclables collected:

*“Recycling should be increased to include more plastics options, even if BHCC remained at collecting only plastics 1&2 (which is very limited in comparison to other councils) this should include all packaging materials, not just bottles. Focus should be placed on increasing recycling of a broader range of materials, although being mindful of materials that are very energy intensive to recycle (for example tetra packs”*

And one respondent felt that there should be:

*“more fines for people who don't recycle AND/OR more rewards for those of us who do would be good”*

## **Composting**

Five respondents have made comments about composting including a lack of education and awareness of what can be composted.

*"In our household .... Composting is something we know little about and we don't want to encourage rats or foxes. Maybe there could be an "education" programme published for the ignorant!?"*

The difficulties of composting are discussed, for both residential users...

*"While I see your point about free garden waste collections detracting from composting there are some things that do not compost easily - woody shrubs, tree prunings - and some things that take more specialist knowledge to compost properly - pernicious weeds. I do not run a car and I throw out less than a carrier bag of rubbish a week - most of which is generated by my cat! I compost all vegetable matter and have three compost bins. BUT I would really appreciate a garden waste collection twice a year. At the moment I persuade my (elderly) mother to drive me to the tip when it piles up as, with the best will in the world, I cannot deal with it all at home. Please reconsider the garden waste collection."*

*".....the idea of having a home composting bin to service a window box or even a balcony shows a sad disregard for and ignorance of the home circumstances of large numbers of town residents"*

....and from someone who works in a school:

*"I work at a local primary school, which provides fruit for the children to eat at break. Unfortunately, some is thrown away on Monday morning as it has either gone past its use-by date or looks sad after being stored in a stuffy classroom at the weekend. I would like to see this waste reduced and school dinner waste collected for compost."*

## **Food Waste**

Two people wrote about food waste, both stressing that central city properties be targeted:

*"I support a strong focus on Food Waste. I live in the city centre in a one bedroom flat and food waste collections would be difficult. That's not to say I would not support food waste collections, but alternative arrangements without using a smelly kitchen caddy would need to be found for me to really participate in the scheme. Equally important is to encourage responsible and sustainable use of food. Too much food is imported or wasted at cost to the environment and economy. The main point of food waste collections is not the food that is collected, but to show how much food is wasted unnecessarily, and ultimately saves the money in our wallets! Please don't forget to target central Brighton-Hove areas for food waste collections"*

*"Food waste collections should be trialled in more densely populated areas also - these are residents that have no access to home composting therefore should be of a higher priority to establish this sort*

*of scheme than people that potentially have access to outside space and home composting already”*

## **Bulky items**

The cost of having bulky items collected was mentioned:

*“If you have large items for disposal, the cost for collection is rather expensive so it is not surprising that people leave items on the street. With salaries frozen, more people unemployed and costs for everything going up, if you need to dispose of an item you have replaced you may struggle to find the extra cost for disposal.”*

## **Education/ promotion**

Three people made suggestions for further promotional work:

*“Litter/recycling bins between local shops and schools and messages to parents and regular spots in schools about not littering and disposing of rubbish thoughtfully”.*

*“While I would not wish to see it becoming an officious exercise where as was in the press recently someone was charged for littering after some thread fell out of their pocket, it would be good if someone could be employed to go out alongside the collections teams and 'Advise' householders. \* If they leave it on the pavement and it is a hazard. \* If they need some additional capacity as they have a large family. \* If they have large items in their garden as they do not have the funds to pay for removal. \* If they are confused about what can and can not be recycled. If it was presented in an appropriate manner it could be seen as a plus and improve recycling and reduce littering”.*

*“A campaign starting with Council buildings, reminding smokers that cigarette ends are rubbish and that they should put in a suitable bin and not litter. Here it would be good to after a warning and advice period start to issue fines. Recently the front of Hove Town Hall looked terrible.*

Whilst one person criticised a recent campaign:

*The use of 'Oops' tape to draw attention to improper put-outs is too weak*

## **Business waste**

Three people wrote about business waste:

*“I believe we could concentrate more on businesses' waste as, just walking around the city, this seems considerable”*

*“Perhaps the Council should play a lead in this by reducing the amount of printed waste they produce, to avoid the unnecessary scrapping of letter*

*heads, printed slips and general waste paperwork. The Council is a serious producer of waste material in the city - it should "put it's own house in order" first"*

*"If the Council controlled business waste it could be a revenue stream and would allow the Council greater control of the amount and types of waste being produced and what was done with this waste, that it was properly controlled etc."*

## **Alternative Ideas**

One of the aims of this strategy consultation, was to find out if respondents had any other suggestions, four people commented about alternatives including two suggestions for communities getting more involved:

*"alternative systems such as community composting/information packs on responsible food use."*

*"Perhaps we can use some funding (big society stuff probably) to set up teams who will follow recycling teams, ring bells and do a sort-out and repackage for the householder, before handing over summary leaflet on 'how to do it'. I heard that there is a website video on proper recycling process - leaflets pointing to it might help. I am also keen to see local neighbourly kitchen waste hand-overs, supported by relevant bit of city administration. Perhaps getting a handful of folk to accept compostable waste from neighbours without space to compost - or the inclination - would help build a sense of community and create more material for those who have gardens and allotments."*

*"Have you thought about bulk rubbish pickups? These are for large items only and would happen once or twice a year in each area. Advantages: With a bit of luck and good publicity most of the 'rubbish' will have gone by morning as re-users (formerly scavengers) go round and collect what they can re-use. It reduces the amount of vehicle traffic going to the 'tip'"*

One of the alternative ideas suggests:

*"The Council has the potential to compost at much higher temperatures and could look into harvesting the heat energy from a central composting facility."*



## Demographic Information

<b>Gender</b>	<b>No.</b>	<b>%</b>
Male	16	53
Female	14	47
<b>Total</b>	<b>30</b>	<b>100</b>
No reply/ prefer not to say	6	

<b>Age</b>	<b>No.</b>	<b>%</b>
U18	0	0
18-24	2	6.5
25-34	8	26
35-44	4	13
45-54	10	32
55-64	5	16
65-74	2	6.5
75+	0	0
<b>Total</b>	<b>31</b>	<b>100</b>
No reply/ prefer not to say	5	

<b>Disability</b>	<b>No.</b>	<b>%</b>
Yes	4	14
No	24	86
<b>Total</b>	<b>28</b>	<b>100</b>
No reply/ prefer not to say	8	

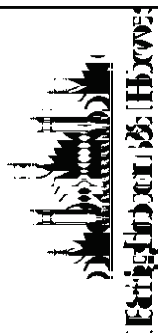
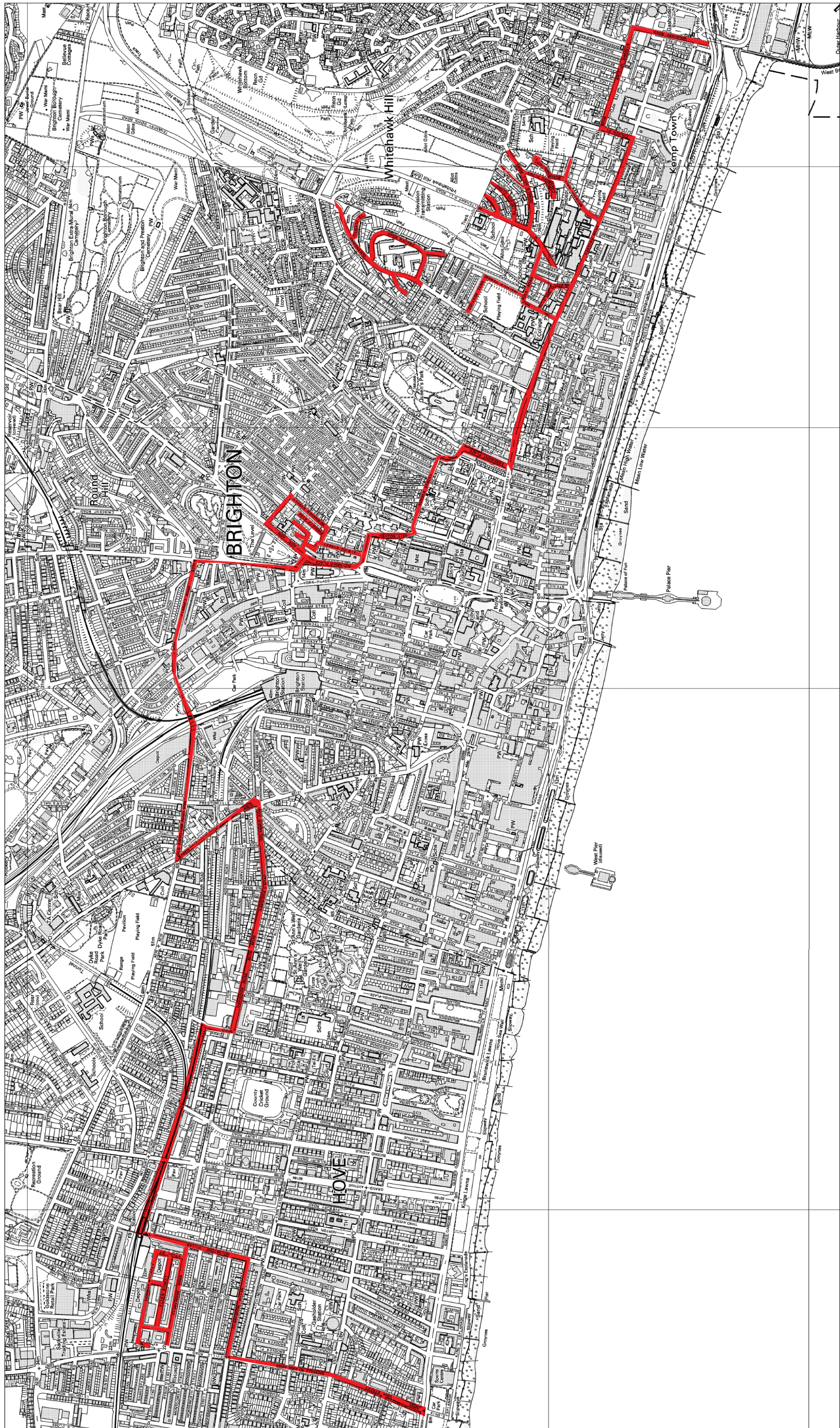
<b>Sexual Orientation</b>	<b>No.</b>	<b>%</b>
Heterosexual	26	87
Bisexual	0	0
Gay	2	6.5
Lesbian	2	6.5
Other	0	0
<b>Total</b>	<b>30</b>	<b>100</b>
No reply/ prefer not to say	6	

<b>Ethnicity</b>		<b>No.</b>	<b>%</b>
<b>White</b>	English/ Welsh/ Scottish/ Northern Irish/ British	27	96.5
	Irish	1	3.5
	Gypsy	0	0
	Traveller	0	0
	Polish	0	0
	Portuguese	0	0
	Any other white background	0	0
<b>Asian or Asian British</b>	Bangladeshi	0	0
	Indian	0	0
	Pakistani	0	0
	Chinese	0	0
	Any other Asian background	0	0

<b>Black or Black British</b>	African	0	0
	Caribbean	0	0
	Sudanese	0	0
	Any other black background	0	0
<b>Mixed</b>	Asian & White	0	0
	Asian & Black African	0	0
	Asian & Black Caribbean	0	0
	White & Black African	0	0
	White & Black Caribbean	0	0
	Any other mixed background	0	0
<b>Other ethnic group</b>	Turkish	0	0
	Arab	0	0
	Japanese	0	0
	Other ethnic group	0	0
<b>Total</b>		<b>28</b>	<b>100</b>
No reply/ prefer not to say		8	

DRAFT

# Communal Container Area



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Date: 21/08/07      Scale 1:13800



<b>Subject:</b>	<b>Neighbourhood Governance</b>		
<b>Date of Meeting:</b>	<b>10<sup>th</sup> May 2012</b>		
<b>Report of:</b>	<b>Strategic Director, Communities</b>		
<b>Lead Cabinet Member:</b>	<b>Cabinet Member for Communities, Equalities &amp; Public Protection</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Sam Warren</b>	<b>Tel: 296821</b>
	<b>Email:</b>	<b>Sam.warren@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>Yes</b>		
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The Localism Act 2011 sets out a series of proposals that are intended to achieve a substantial and lasting shift in power away from central government and towards local people. As part of the council's response to the Act it made a commitment in December 2011 to piloting new neighbourhood governance models in the city alongside the approval of the Community Development Strategy. This will offer residents greater power to make decisions about services for their neighbourhood and influence the way budgets are used.
- 1.2 Specifically, the Localism Act enables the establishment of neighbourhood forums for the purpose of producing Neighbourhood Development Plans. This provision came into force in April 2012. A report went to the Planning, Employment, Economy & Regeneration Cabinet Member Meeting entitled "Government Consultation: Neighbourhood Planning Regulations". Therefore any arising designated Neighbourhood Forums will be monitored and evaluated alongside the two neighbourhood governance pilots.
- 1.3 City wide consultation about the possible new neighbourhood governance was carried out between October 2011 and January 2012. A range of methods were used to engage a wide cross section of people. 1300 people responded through questionnaires and a further 300 through focus groups and public meetings.
- 1.4 This report sets out the findings from the consultation and the next steps in developing neighbourhood governance pilots.

**2. RECOMMENDATIONS:**

- 2.1 That Cabinet agrees to the 12-month pilot of neighbourhood governance in Brighton & Hove specified in paragraph 5 of the report,

- 2.2 That Cabinet authorise the Strategic Director, Communities to take all steps necessary or incidental to the implementation of the proposals in this report, including, but not limited to agreeing terms of reference and ways of working.
- 2.3 That Cabinet requests the Strategic Director, Communities, to bring a follow-up report to the appropriate committee at the relevant time to inform potential future decisions about future city-wide neighbourhood governance arrangements across the city.

### **3. BACKGROUND:**

- 3.1 Localism is described as an approach where individuals and communities have more power and responsibility, and use it to create better neighbourhoods and local services. Communities need to feel empowered to solve problems in their neighbourhood and have the freedom to influence and discuss topics that matter to them, with a more local approach to social action and responsibility.
- 3.2 In Brighton and Hove Neighbourhood Governance is just one of the approaches that we are taking to ensure localism is supported throughout the city.
- 3.3 There are a wide range of initiatives that enable communities to support and develop community skills, activities and enterprise. These include organisations such as the Food Partnership, Credit Union, LET schemes, volunteer centres and co-operatives all of which add to the opportunities for people to create and develop local approaches to tackle local concerns.
- 3.4 In addition to this the council continues to maintain a strong focus on community engagement and community development as tools for empowerment and social justice, through the Community Development Strategy.
- 3.5 The City Council funds a commissioned programme of community development in neighbourhoods as a key tool for community empowerment and will continue to support this in a broad range of neighbourhoods alongside the pilot Neighbourhood Governance. This will enable communities that are not part of the pilot process to use flexible and approaches to neighbourhood empowerment and will create other opportunities for local governance arrangements to evolve over time, in line with communities' changing circumstances and developing capacities.
- 3.6 The Communities and Equality Team offer information, support and guidance both with our internal partners and with external groups and organisations on how to use the Community Engagement Framework and carry out Equality Impact Assessments.
- 3.7 There is an on-going commitment for the grants programme which supports the innovation and development of the third sector within the city. Assistance is also provided to the Community and Voluntary Sector (CVS) and infrastructure organisations through a range of support packages that help access funding, information and advice.

- 3.8 The council's housing service has a wide range of structures to support tenant involvement in the management, influence and development of housing, policy, practice and funding.
- 3.9 An asset map has recently been published and the council is working with the CVS to look at community held assets and develop a further process for asset transfer.
- 3.10 The Partnership Community Safety Team, Adult Social Care, and Children's Services are developing new neighbourhood approaches that respond to local community issues, such as the youth service hubs, the Embrace Initiative, Community Conferencing and the Communities Against Drugs Pilot.
- 3.11 The Localism Act 2011 specifies changes to planning powers that allow the establishment of neighbourhood forums for the purpose of producing Neighbourhood Development Plans. Through this process these Neighbourhood (Planning) Forums could gain access to funding streams via the New Homes Bonus and Community Infrastructure Levy. In order to become a Neighbourhood Forum there is a set of clear prescribed rules that could work with our Neighbourhood Governance arrangements should the communities wish to do so. However other areas across the city, outside of the pilot, will be able to express interest in becoming a Neighbourhood (planning) Forum and officers are working very closely to ensure that the two approaches are connected and can work alongside each other.
- 3.12 Additionally, the We Live Here project, of which the Council is an integral part, aims to design a new way of connecting public services, individuals and community groups, blending offline and online technologies. It is testing ways of building shared online environments that allow whole-community discussions to flourish by connecting people through the online and offline places where they feel comfortable. The We Live Here project, once fully implemented, will use technology and new networking tools to give individuals and community groups' new opportunities to volunteer, participate in their community and take part in political decisions.
- 3.13 The current phase of the programme is working in the city centre ward of Brunswick, in Hangleton & Knoll and the BME (Black & Minority Ethnic) community cross the city. A key milestone with this work was 26 April 2012, when a business plan and other materials were submitted as a second-round bid to NESTA for ongoing support and funding. If successful, this will enable the programme to expand and develop alongside more formal neighbourhood governance approaches.

#### **4. CONSULTATION RESULTS:**

##### **Methodology**

- 4.1 Questionnaires were made available via the council consultation portal, sent to a random selection of 10,000 households and made available at key locations across the city, for example libraries, doctors' surgeries, and schools. In addition, around 20 focus sessions were held with Communities of Interest and

Identity groups, at Local Action Teams and other Neighbourhood Forums or groups.

- 4.2 The consultation included questions about geographical boundaries, resources, methods of engagement, current structures and groups, potential governance structures, issues for marginalised and vulnerable people, legal & statutory duties, value for money and local concerns. (Appendix 1 for full survey data). The following provides a short summary of the main themes from the feedback:

### **Involvement**

- 4.3 88% of respondents strongly agreed or tended to agree that they would like to have more influence over decisions and services affecting their area. If local residents had more influence, 68% of respondents said that they would become involved in local governance.
- 4.4 Feedback in the focus groups stressed the need for the pilot approaches to include innovative involvement methods, particularly when considering those who are excluded from current neighbourhood structures and involvement. They suggested that any new ways of working must ensure governance policies support such involvement, and include a mixture of involvement methods such as social media, community newsletters, meetings and events.
- 4.5 The results also showed that residents and organisations wished for a range of involvement methods to be used. However, this consultation had a much higher proportion of people wishing to use online involvement, as well as more traditional structures.

### **Areas: Neighbourhoods or Wards**

- 4.6 The results showed that people are keen for boundaries to be defined by either neighbourhoods or wards but with a stronger preference for self-defined neighbourhoods.

### **Models**

- 4.7 Four models were presented as part of the consultation (see appendix 1 pg 16) The preferred option, with the greatest number of respondents selecting as their preference, is *'a local group who would work in partnership with the council, police, NHS, and other public service providers to look at the best way to design and deliver local services'*. The second preference was for people to come together at *'open public events which look at the design and funding of local public services'*.

## **5. Pilots**

- 5.1 The consultation reiterated that a one size fits all approach is unlikely to work and arrangements for neighbourhood governance needs to vary from place to place, to reflect the demographic make up, diversity and varying circumstances of communities.



- 5.2 Therefore, based on the breadth of experience in the council and the city about neighbourhood engagement, the proposal is for two pilots to reflect the preferred options within the consultation with different methodologies and styles. However, both will engage communities in responding to local priorities, which may include designing or providing services, working with service providers to build on ideas and innovation, participatory budgeting, and influencing budget allocation and service direction.
- 5.3 The consultation results showed that whilst a higher number of residents at 54.3% felt that local governance should be developed and delivered at 'neighbourhood' level, those wishing to see this within Ward boundaries was also significant at 21.5%. Therefore one of the proposed pilots will be based on a Ward and the other within a self defined 'neighbourhood'.
- 5.4 The ward based pilot will have a clear focus on testing out the use of new technologies in order to engage with citizens that have not previously been involved with locally based community activities.
- 5.5 This will start from the fact that people are already having conversations about local issues, in interest groups, online and in pubs and there is already a network of organisations that formally or informally support public engagement at a low level. Rather than creating a continuing structure, we aim to use the structures and conversations that are already in place to network the conversations, hearing and shaping what is being talked about, and raising the quality of discussion through access to the council's data and information. This form of 'neighbourhood governance' can then create "**democratic moments**", where the most important issues from those different conversations are brought together and discussed, rather than creating a new institution with its own agenda and meeting programme.
- 5.6 Neighbourhood governance then becomes a democratic high-point, comprising of a supported event with online elements before and after to broaden the opportunities to participate. The agenda would be collaboratively set by local people and the council, and would cover the biggest live issues (as well as key items like budgets and devolved services). Using online information and discussion, leading through to presentations and debates at the event, these issues could be worked through in a shared environment so compromise and consensus can inform outcomes. Votes could be taken at the meeting or online afterwards, where necessary.
- 5.7 This pilot area will be focused on the Hollingdean and Stanmer ward. This is a ward that has a make up of a number of self defined neighbourhoods, Hollingdean, Coldean, Bates Estate and Saunders Park. These are diverse communities with both transient and stable populations and in some place very high levels of students. The ward has a range of mixed tenure housing including owner occupied, council and social housing, student accommodation and private rental. There is some business population within area particularly within the industrial and commercial estates. There were a number of expressions of interest across the ward to be part of the pilot process. These factors will enable us to pilot different and broad approaches to engage and involve residents, businesses and community and voluntary organisations in new forms of Neighbourhood Governance within one particular ward area,

recognising the potential to build ward based data sets whilst also recognising the complexities within this particular area. Work will relate closely to concepts around the use of “open data”, with a clear aspiration that individuals and organisations will help shape solutions by re-working available data and finding new ways of presenting information and argument that delivers better solutions.

- 5.8 The second pilot area will look to develop ways of working that build on local communities’ sense of self defined neighbourhoods.
- 5.9 This work will also use new technologies, but there will be a focus on more traditional ways to engage with communities. The pilot will focus on building on existing groups and organisations and connect into the more formal structures and decision-making processes that are led by local residents. It is intended that the area will develop a local plan that will highlight clear local priorities through a range of events, meetings and activities. Through locally defined mechanisms to be determined with the local community, these will be linked with service providers and other local organisation priorities to create a cohesive and inclusive set of locally developed priorities.
- 5.10 This second pilot area will be focused across on areas of Whitehawk and the Bristol Estate. Organisations and projects within these areas are already working together and form cohesive approaches to the community. They have recently applied to become a national Community Budgeting pilot and whilst this application was not successful it does indicate that the local fora are quite far forward in their thinking on neighbourhood governance. The multi-disciplinary Whitehawk Hub has recently been developed providing a firm bases to build and expand the relationships between the Hub and the community and giving the opportunity for more decisions to be made at a local level. The Whitehawk and Bristol Estate areas have expressed a keen interest in being part of a neighbourhood governance pilot.
- 5.11 In order to a create shift in decision-making local residents, businesses and local councillors will need to work together to define local priority and need. These priorities will be linked into the Project Board in order to work with communities to look at the scope, design and allocation of resources and services within the areas. The intention is to support the communities to create local solutions for local issues and recognise that “East Brighton” comprises of a number of neighbouring but distinct communities.
- 5.12 Under the new system of governance expected to come into effect from Annual Council in May 2012, decisions reflecting the wishes and needs of neighbourhood councils would need to be taken by an officer or committee with the necessary delegated authority. This is covered more fully in paragraph 8 below. This arrangement will be reviewed over the course of the pilot period to consider whether it allows communities to drive genuine change.
- 5.13 Pilots will begin in July 2012 and run for approximately one year. The pilots will in part be supported by the Community Development Commissioning programme which also starts in July 2012 and the development of the NESTA We Live Here project.

## **6. OUTCOMES**

- 6.1 National and local research from previous approaches suggests that the following outcomes are achieved from improved devolution:
- Increased social capital & the development of local solutions
  - Improved service response to local need;
  - Strengthened role of elected Members as Community Champions;
  - Increase community cohesion;
  - Deeper democracy (including participatory governance and political/local activism)
- 6.2 In order to work towards these outcomes we will continue to respect and work with the large number of neighbourhood and community structures such as Tenants Associations, Friends of Parks, Neighbourhood Forums, Local Action Teams (LAT), Health Action groups, conservation groups, to ensure we build a culture of partnership across the city and not just within the pilot areas.
- 6.3 A key consideration for both pilots will be their linkage and relationship with existing neighbourhood and city wide engagement approaches such as housing tenant participation, the developments of patient participation, and one-off consultations that occur regularly throughout the city.
- 6.4 However, the consultation underlined the need for neighbourhood focused work to more adequately tackle the needs of people from communities of interest and/or identity, as a focus on place can create divisions between groups, organisations and communities supporting these agendas. Particular support and resource will be aimed at the inclusion of the vulnerable or marginalized who have not been previously involved in neighbourhood approaches to local governance.
- 6.5 The role of ward councillor will also be vital to the process of neighbourhood governance. As the democratically elected representatives of the area it is important to ensure they have a key role as active leaders in communities. This was strongly highlighted within the consultation with the largest number of people stating a clear preference that decision-making be led by councillors.

## **7. PROJECT MANAGEMENT**

- 7.1 A Project Board has been set up to steer Neighbourhood Governance. This board is chaired by the Strategic Director Communities and is made up of members of the council's Corporate Management Team (CMT), lead officers and partners from the Police and Health to ensure that we are developing approaches that are supporting and complementing other engagement activity within the city.
- 7.2 The Neighbourhood Governance Working Group will also be taking forward strategic and practical approaches to develop and embed the

changes needed across the organisation and within communities. Formal feedback will be presented to the Policy and Resources Committee and linked into the Community Engagement Partnership and the Community Inclusion Partnership.

- 7.3 The Project Board will ensure that the Neighbourhood Governance pilots do not sit in isolation to emerging developments such as the Inequalities Commission, the development of the Clinical Commissioning Group and changes to the Neighbourhood Policing.
- 7.4 A key element of the work will be looking at the challenges of delegating power and releasing funding for neighbourhood based governance in order to address local priorities at a local level. Whilst there is a long history of support for neighbourhood regeneration and community engagement in Brighton and Hove evidence shows that we have not always been successful in creating 'real' opportunities for local people to influence decisions particularly when this includes determining budget allocation.
- 7.5 The Neighbourhood Governance pilots aim to combine the use of community development methodology and council approaches to ensure that residents have a strong voice in decision making, including determining budget allocations within their local communities. In addition we will need to address how to effectively share available data and information which will help to address the more hidden or complex issues that evidence shows are not always raised by residents and communities.
- 7.6 To genuinely and successfully delegate budgets and decision making to a neighbourhood level, we will need to embed the approach right across the organisation from leadership and senior management through to frontline staff. The council's Learning & Development Team and Community and Voluntary Sector provide training and learning programmes to support council officers, councillors and residents working or living within the pilot areas. Officer time from the Communities and Equalities Team will also be dedicated to supporting the set up and oversight of the pilots.
- 7.7 The council's Performance and Analysis team are working alongside the Communities and Equalities Team to develop a monitoring and evaluation framework that will be informed by previous neighbourhood working and will aim to support the future arrangements for neighbourhood governance within the city. The first report on progress will be at the six month point of the pilots.

## **8. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 8.1 Development and support of the pilots will be funded as part of the £175k 2012-14 neighbourhood governance budget. The pilots may involve a limited scheme of financial delegation subject to new arrangements as described in the legal implications. Clear accountability will be sought and officer support provided for financial and other decisions. The budget allocated will be considered by Project

Board and agreed by the Strategic Director under delegated authority arrangements.

Feedback from the pilots will inform the development of future neighbourhood governance arrangements. Full consideration of financial and service implications will be assessed at this stage.

*Finance Officer consulted: Anne Silley Date : 20/03/12'*

Legal Implications:

- 8.2 Unless and until the Council puts in place arrangements pursuant to section 236 of the Local Government and Public Involvement in Health Act 2007 for certain council functions to be discharged by individual Members at ward level, decisions giving effect to the priorities, wishes or resolutions of the neighbourhood governance approaches taking part in the two pilots would need to be taken by a Council officer or committee with the relevant delegated powers. In practice, it is expected that most if not all the decisions that a neighbourhood council would wish to make would fall within the remit of an officer's delegated powers, due to the localised and operational nature of the functions concerned.

Nonetheless, where an officer is requested to carry out a function using his delegated powers on behalf of a neighbourhood council, the officer must satisfy him/herself that:

- His delegated powers apply to the function in question, in nature and scope
- Any request for expenditure is within budget and he has authority (with reference to the scheme of delegation and to any applicable standing orders or financial regulations) to commit the Council to the sum concerned
- Any decision taken under delegated powers is consistent with corporate policies and adheres to public law principles, including legality, rationality and correctness of procedure

As with the existing Scheme of Delegation to Officers, any officer may refer a decision which would otherwise fall within their remit, to the relevant committee or Full Council where the officer considers it appropriate.

*Lawyer Consulted: Oliver Dixon Date: 19/03/12*

Health, Wellbeing & Inequalities Implications:

- 8.3 The consultation highlighted the risks around inclusion, representation and community cohesion and the need to ensure that these issues are activity managed. As part of the pilot development specific inclusion support, will be commissioned working in partnership with community of interest organisations.

- 8.4 As the responsible body we will need to ensure that any delegation of decision-making will follow the Corporate Equality Inclusion Policy. The pilots will be supported and assessed for Equality Impact throughout the process.
- 8.5 As part of the training programme offered to pilots, communities of interest groups will be commissioned to deliver equalities training, to support the development of neighbourhood councils and to encourage consideration of equality issues in planning, implementation and evaluation.
- 8.6 A publication will be developed in the lead up to the pilots detailing the work carried out by the council around community involvement, partnerships and governance, to be used as a tool during the pilot period.
- 8.7 As part of the monitoring and evaluation of the pilots equality approaches and levels of engagement by different groups will be assessed.

Sustainability Implications:

- 8.8 Future commissioning arrangements will take into account the need to promote sustainability considerations in all aspects of planning and delivery. The Neighbourhood Governance pilots will also link closely to the Community Development commissioning that will help to support sustainable communities, through activities such as sustainable funding, resilient individuals and self help groups. As one of the pilots will have a clear focus on new technologies this will reduce the use of paper and other resources and therefore support the city sustainability strategy.

Crime & Disorder Implications:

- 8.9 The council will continue to work with the Partnership Community Safety Team (PCST) in the development of the Neighbourhood Governance pilots. The PCST, Communities against Drugs and Environment Improvement Teams deliver a range of activities which engage and build cohesive communities. Some of these activities are integrated within the delivery plans of priority crime areas: facilitating the community led Racial Harassment Forum is one example of that. Other work such as supporting the network of Local Action Teams link closely with meeting the delivery requirements of Neighbourhood Policing and as such, have specific outcomes which are about identifying local policing priorities and delivering community safety solutions in partnership with local people. The PCST carries out targeted work with refugee and migrant individuals and communities and its programme of activities to “build resilience to violent extremism” is a specific programme of work with Muslim and other faith based communities. Performance on this programme is measured against locally agreed indicators, which were previously collected and analysed by the national data set contained in the Local Area Agreement process.
- 8.10 Through the Project Board close links to the developments in neighbourhood policing approaches to create synergy in how we work with and empower communities will be developed.

### Risk and Opportunity Management Implications:

- 8.11 The Neighbourhood Governance Working Group have developed and maintain a risk register on the potential risks and opportunities associated with working with communities to provide them with power to directly influence services in their neighbourhoods. This has enabled development of mitigating controls and actions and further planned work to be developed and incorporated as part of project delivery. The risk register will be regularly reviewed as part of the ongoing project management for this initiative and accords with the council's Risk Management Strategy 2012.
- 8.12 This work is one part of the city council's Strategic Risk 1 (SR1) "Readiness for opportunities and impacts of Localism" which is publicly reported in the Strategic Risk Register.

### Corporate & City-wide Implications:

- 8.13 The Corporate/Citywide implications for the implementation of neighbourhood governance will be complex and will in part be informed by feedback from the pilot programmes. It is proposed to report back to Policy and Resources committee within the first six month period which will set out further details of the likely scale of the broad corporate implications. This has implications for all wards and supports the corporate objectives of tackling inequality and involving communities in everything that we do.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Neighbourhood Councils Survey: Data Report
2. Neighbourhood Governance Project Board Terms of Reference

### **Documents In Members' Rooms**

None

### **Background Documents**

None





# **Neighbourhood Councils Survey November 2011 / January 2012**

## **Data Report**

**Produced by:**

**Policy, Performance & Analysis Team  
Brighton and Hove City Council**

**Tel: (01273) 291088  
e-mail: [consultation@brighton-hove.gov.uk](mailto:consultation@brighton-hove.gov.uk)**

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## **1. Introduction & Purpose of Report**

Brighton and Hove City Council are developing new ways of working with communities to make this a more democratic city, leading the way as a place to live and work. Neighbourhoods will be offered greater power to make decisions about services and budgets, addressing issues relevant to them. Arrangements may vary from place to place, but there will be opportunities for all to participate in decision making.

The plans fit into the Localism Act (2011), which sets out a series of proposals that are intended to shift power away from central government, towards local people. The intention is that these changes will allow people to:

- be more involved in their local area and identify opportunities for community action
- raise issues that need addressing and develop local solutions
- be actively involved in the decisions that are taken about their area
- be empowered to develop local services and groups

## **2. Methodology**

As part of a wider consultation about neighbourhood councils a questionnaire was devised by the council's Communities and Performance & Analysis teams. Two questionnaires and different methodologies were used to ensure as many residents and interested parties as possible had the opportunity to be involved while keeping cost to a minimum.

A full questionnaire consisting of 35 questions including all standard equality and demographic questions was made available through the city's Consultation Portal with a paper version also available. A series of community of interest and public events took place between November 2011 and January 2012 where the Portal questionnaire was publicised and the paper copy made available. The consultation was also publicised via council and local community networks.

A short version of the questionnaire, consisting of seven key questions taken from the full questionnaire, was made available as an A5 folded postcard. The post card was...

- sent to a random sample of 10,000 households evenly distributed across the city by full postcode
- 3,000 left for collection at various council and community buildings
- 3,000 posted to GP surgeries, Universities, Colleges, Schools, Places of Worship, libraries, children's centre, community centres, art galleries, cinemas, theatres, leisure centres, youth centres.
- 2,000 distributed by hand at Jubilee library, Asda marina.

The seven questions were...

- How much do you agree or disagree?
  - I would like to have more influence over the decisions and services that affect my neighbourhood.
  - People in my local area should take decisions about local issues and services rather than the council.
  - People in my local area should have more responsibility for choosing how money is spent locally
- If local residents had more influence over decisions taken on how services are designed, funded and delivered in their neighbourhood, how likely or unlikely is it that you would become involved?
- How would you like to be involved?
- What would stop you being involved in local decision making?
- If you would like to be involved in decision making in neighbourhoods, would you be interested in becoming involved in any of the following?

### **3. Response**

376 full questionnaires and 825 short questionnaires were returned.

### **4. Focus group feedback**

Focus groups were carried out at:

- Get Involved Project – The Fed Centre for Independent Living
- Lesbian Gay Bisexual and Transgender (LGBT) Health and Inclusion Project
- MOSAIC (Black and Mixed parentage family group)
- Black and Minority Ethnic Community Partnership (BMECP) Women’s Group
- Black and Minority Ethnic Community Partnership (BMECP) Elders Group
- Bevendean ABC
- Hollingdean LAT
- Moulsecoomb LAT
- Craven Vale LAT
- Hangleton & Knoll CAG
- West Hove Forum
- Whitehawk forum
- Hollingbury LAT

Across the focus groups held, particular, and shared concerns came through regarding operational issues, financial concerns, concerns about the democratic process, barriers for marginalised groups, how to promote participation and recommendations to take forward into the pilot period.

### Operational Issues

Questions arose about who would mediate if there was significant conflict between groups in neighbourhood councils, and how resolutions would be found. There were concerns that local governance arrangements could potentially weaken community cohesion rather than strengthen it.

### Financial Concerns

The pilots could be costly and are they badly timed in the current economic climate.

### Democratic Process

Unelected and unrepresentative individuals could be able to impose their own agendas with the risk that discriminatory single issue agendas are promoted at the expense of broader concerns. Well thought through processes need to be in place for to deal with issues such as dishonesty, discrimination and pushing unrepresentative agendas.

Decisions made by neighbourhood councils could run the risk of service provision becoming a 'postcode lottery'. This will need to be carefully considered when and if realigning services.

If Neighbourhood Governance is building on existing neighbourhood groups, the marginalisation of minority groups could continue without thought, attention and resources being paid to how to involve and engage communities of interest/identity.

### Barriers

Participation could be taken up by more affluent groups who may not have an understanding of issues for marginalised groups and therefore not include them in agendas or decision making. Minority groups do not always feel like they are a part of the community in which they live. This was a barrier that could be seen to be inherent in neighbourhood working. Furthermore, formal structures and governance can be off putting for people where language and/or literacy is an issue.

While B&H has a reputation for being an inclusive city, there is still discrimination and exclusion experienced by many minority groups. This was particularly highlighted in the LGBT focus groups around a possible reluctance to disclose LGBT status for people living with HIV or the trans community.

People across the groups were concerned with the difficulties of representation and the possibility of this becoming tokenistic, leading to people feeling like they have an unreasonable burden of representation.

## Promoting Participation and Recommendations from focus groups

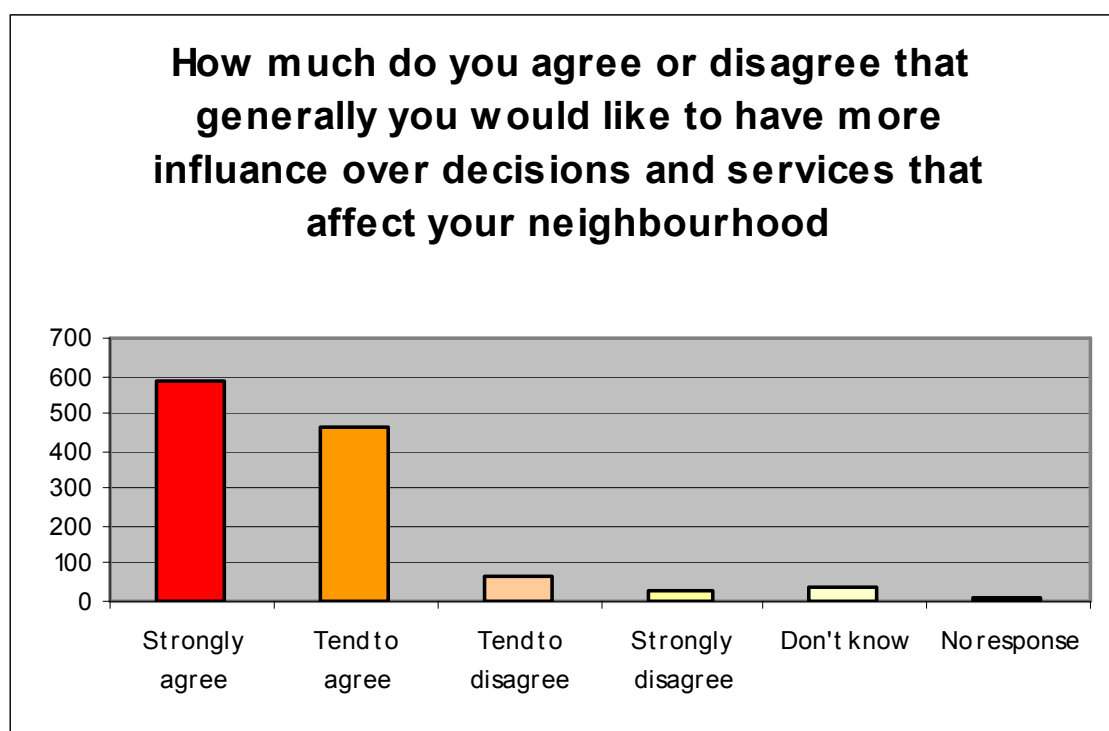
1. Address significant equalities implications to ensure these are not excluded from neighbourhood agendas.
2. Think about having designated spaces within Neighbourhood Governance approaches for LGBT, BME, disabled people, carers, older people and young people.
3. Ensure effective monitoring structures for Neighbourhood Governance approaches to demonstrate meaningful involvement and engagement from communities of interest groups and individuals.
4. Ensure equalities awareness training and development support is provided by the relevant organisations, as part of the pilot process for all neighbourhood governance approaches.
5. Support a transparent complaints system, this needs to link into the current council complaints procedure.
6. Only delegate resources to Neighbourhood Governance approaches when they can show plans for meaningful participation and involvement of 'communities of interest'.
7. Provide dedicated recourses to support 'inclusion' within the pilot approaches.
8. Link Neighbourhood Governance approaches in the city-wide equalities structures for advice and guidance.



## 5. Data table and comment summaries

The following tables summarise the responses to the questions from the full and short Neighbourhood Council surveys.

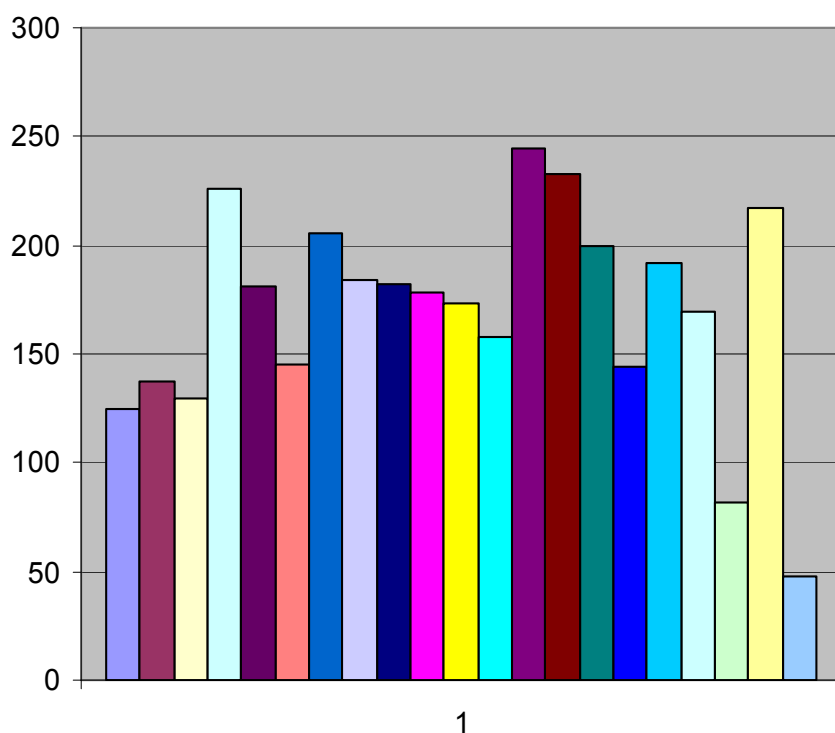
		Portal & Paper		Postcard		All responses	
		Frequency	Percent	Frequency	Percent	Frequency	Percent
Strongly agree		183	48.8	406	49.6	589	49.3
Tend to agree		154	41.1	313	38.2	467	39.1
Tend to disagree		25	6.7	41	5.0	66	5.5
Strongly disagree		7	1.9	24	2.9	31	2.6
Don't know		6	1.6	35	4.3	41	3.4
Total		375	100.0	819	100.0	1194	100.0
Missing	No response	1		6		7	



**Table 2: How much do you agree or disagree that people in your local area should take decisions about local issues and services rather than the council?**

		Portal & Paper		Postcard		All responses	
		Frequency	Percent	Frequency	Percent	Frequency	Percent
Strongly agree		91	24.3	252	31.2	343	29.0
Tend to agree		169	45.2	345	42.8	514	43.5
Tend to disagree		70	18.7	113	14.0	183	15.5
Strongly disagree		20	5.3	56	6.9	76	6.4
Don't know		24	6.4	41	5.1	65	5.5
Total		374	100.0	807	100.0	1181	100.0
Missing	No response	2		18		20	

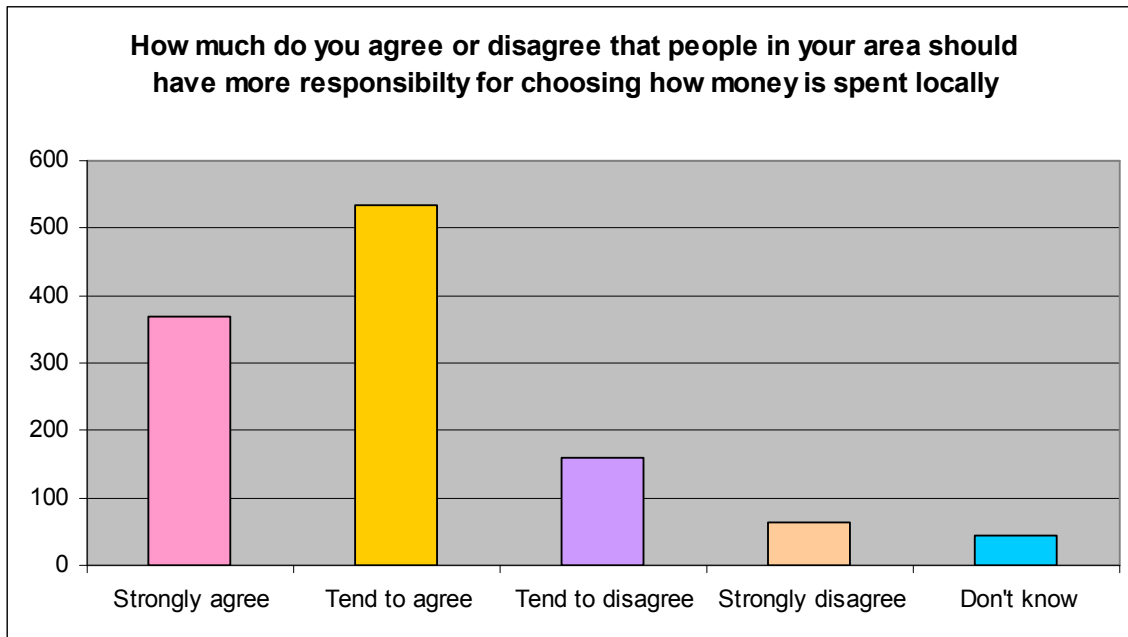
### Would you like more influence on any of the services below?



- Allotments
- Bus shelters
- Car parks
- Community centres or buildings
- Community safety schemes
- Community transport schemes
- Crime reduction measure
- Cycle paths
- Festivals & Celebrations
- Leisure facilities
- Litter bins
- Local youth projects
- Parking
- Parks & Open Space
- Planning
- Public toilets
- Street cleaning
- Street lighting
- Tourism activities
- traffic calming measures

**Table 3: In your neighbourhood would you like more influence over decisions taken on any of the services below?**

	Frequency	Percentage
Allotments	125	35%
Bus shelters	137	38%
Car parks	130	37%
Community centres or buildings	226	63%
Community safety schemes	181	51%
Community transport schemes	145	41%
Crime reduction measure	206	58%
Cycle paths	184	52%
Festivals and celebrations	182	51%
Leisure facilities	178	50%
Litter bins	173	49%
Local youth projects	158	44%
Parking	244	69%
Parks and Open Space	233	65%
Planning	200	56%
Public toilets	144	40%
Street cleaning	192	54%
Street lighting	169	47%
Tourism activities	82	23%
Traffic calming measures	217	61%
Other	48	13%



**Q4b. Why do you STRONGLY AGREE OR TEND TO AGREE that people should have more responsibility for how money is spent locally?**

“Because people living in the community see the local area in context... How it operates on a day to day basis, the type of people that make up the community (and therefore the communities needs) the real-life problems that need addressing (rather than broad-brush perceived issues” transposed by the general public or council) and they are best placed to see where money needs to be spent. And giving communities real responsibility creates engagement and ownership - more responsibility with the place they live in”

A total of 273 respondents made comments

**Key themes**

At the highest level respondents thought that it would be more democratic, more devolved, more transparent and more accountable and would provide better value for money.

The arguments / issues to support these themes came from;

- It our money we should have a say in how it spent.
- Local residents are best place to know what is needed locally
- The present system does not work
- Some areas are treated better than other areas – given greater resources
- It would strengthen communities

**Q4b. Why do you STRONGLY DISAGREE OR TEND TO DISAGREE that people should have more responsibility for how money is spent locally?**

“I believe that the current system offers people the opportunity to make choices at an election and that their elected representative is then responsible for ensuring that their needs as a community are placed uppermost. I have concerns that neighbourhood councils could easily hand power over to the 'shouty minority' which could further alienate some sections of the community”

A total of 73 respondents made comments

### Key themes

- Already have elected councillors / current system is ok / Neighbourhood Councils would not improve the current system / Councillors and Officers already have a duty to consult with communities / need to see the bigger (city) picture
- There should be local influence and input in the decision making process with the final decision taken by those who have been elected.
- Fears around the structure of Neighbourhood Councils.
  - Minority community views would not be taken into account
  - Self interest groups
  - Lack of expertise
  - Accountability
  - A few strong voices
  - No representativeness

**Table 5a: How much do you agree or disagree. I would be happy for a local residents group to make decisions on my behalf about issues and services provided in my neighbourhood.**

		Frequency	Valid Percent
Valid	Strongly agree	48	12.8
	Tend to agree	163	43.5
	Tend to disagree	71	18.9
	Strongly disagree	61	16.3
	Don't know	32	8.5
	Total	375	100.0
Missing	No response	1	
Total		376	

### Q5b. Why do you **STRONGLY AGREE OR TEND TO AGREE** that you would be happy for local residents to make decisions on your behalf?

“I agree with this as long as there is clear expertise available at all gatherings. The ideal scenario is a

partnership between statutory organisations and their expertise alongside local people who see the real needs on a day to day basis”

A total of 170 respondents made comments

### **Key themes**

- Respondents thought / assumed that local residents were best placed to understand / more in touch with local needs.
- Encourage community cohesion
- Importantly respondent's agreement about being happy for local residents to make decisions on their behalf was very often qualified by the need for...
  - Local opinion to have been considered
  - Accountability
  - Representativeness
  - Openness and transparency
  - Expertise

### **Q5b. Why do you STRONGLY DISAGREE OR TEND TO DISAGREE that you would be happy for local residents to make decisions on your behalf?**

“Although my previous answers support more influence over local matters, and there are some things I would be happy for a group of local residents to make decisions on such as youth provision or community facilities, I would be very concerned about some issues being decided by an unelected group of local residents with little accountability and some of whom may have vested interests, or not understand the bigger picture for the area or city as a whole”

A total of 121 respondents made comments

### **Key themes**

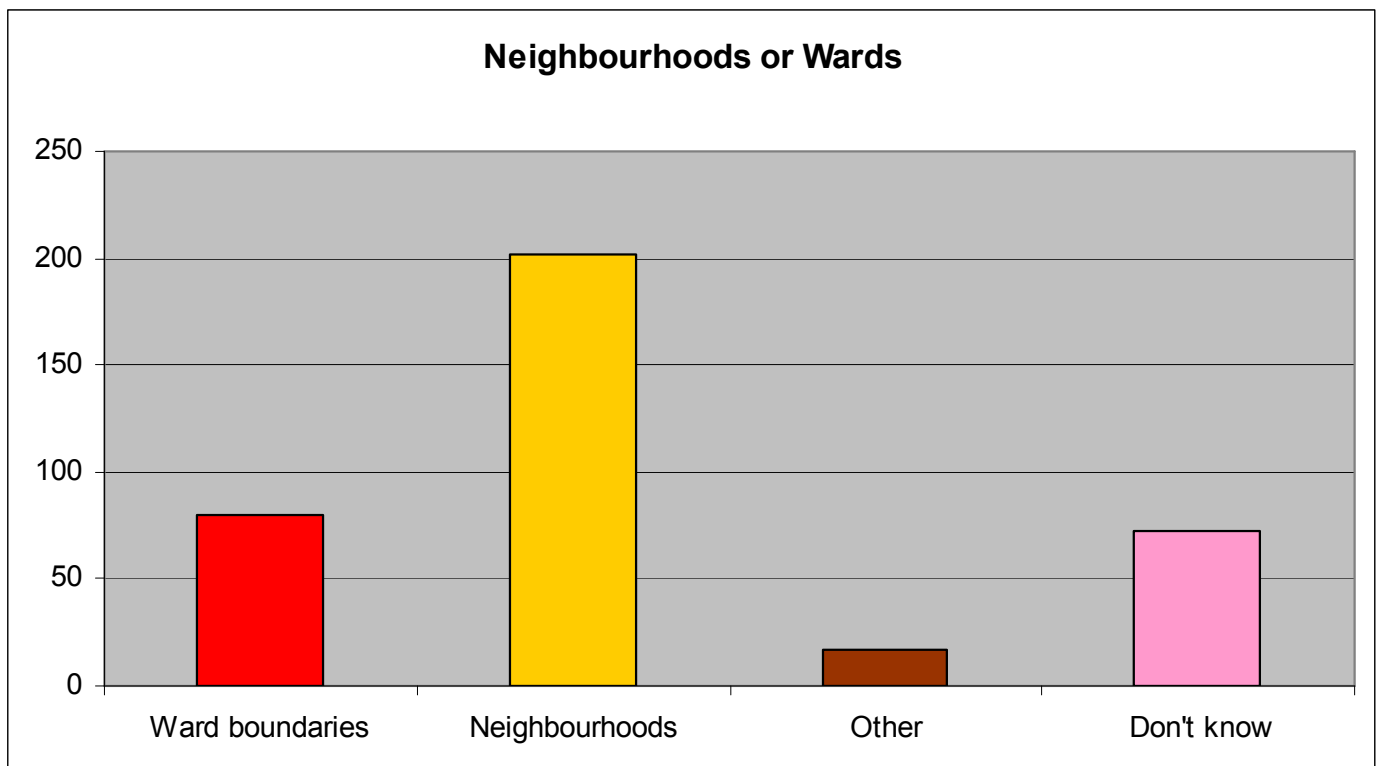
- A need for a city overview / perspective to make better balanced decisions
- It the job of the council / elected members

Other reasons given for not being happy for local residents to make decisions on their behalf were similar to the concerns express by those who were happy for local residents to make decisions on there behalf.

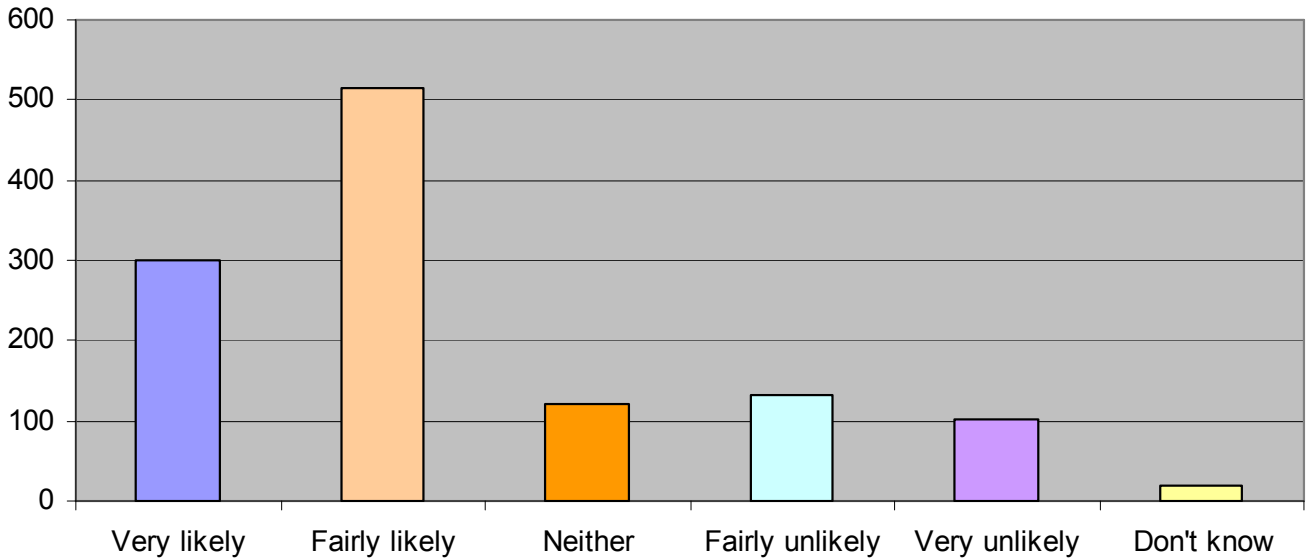
- A lack or representativeness / small vocal minority / self interest groups
- Lack accountability
- Lack of expertise

**Table 6: How likely or unlikely would you be to pay £20 a year into a neighbourhood budget that would be managed by local residents in your neighbourhood for the benefit of your local area?**

		Frequency	Valid Percent
Valid	Very likely	81	21.7
	Fairly likely	112	30.0
	Neither	35	9.4
	Fairly unlikely	45	12.1
	Very unlikely	78	20.9
	Don't know	22	5.9
	Total	373	100.0
Missing	No response	3	
Total		376	



**If local residents had more influence how likely or unlikely is it that you would be involved?**



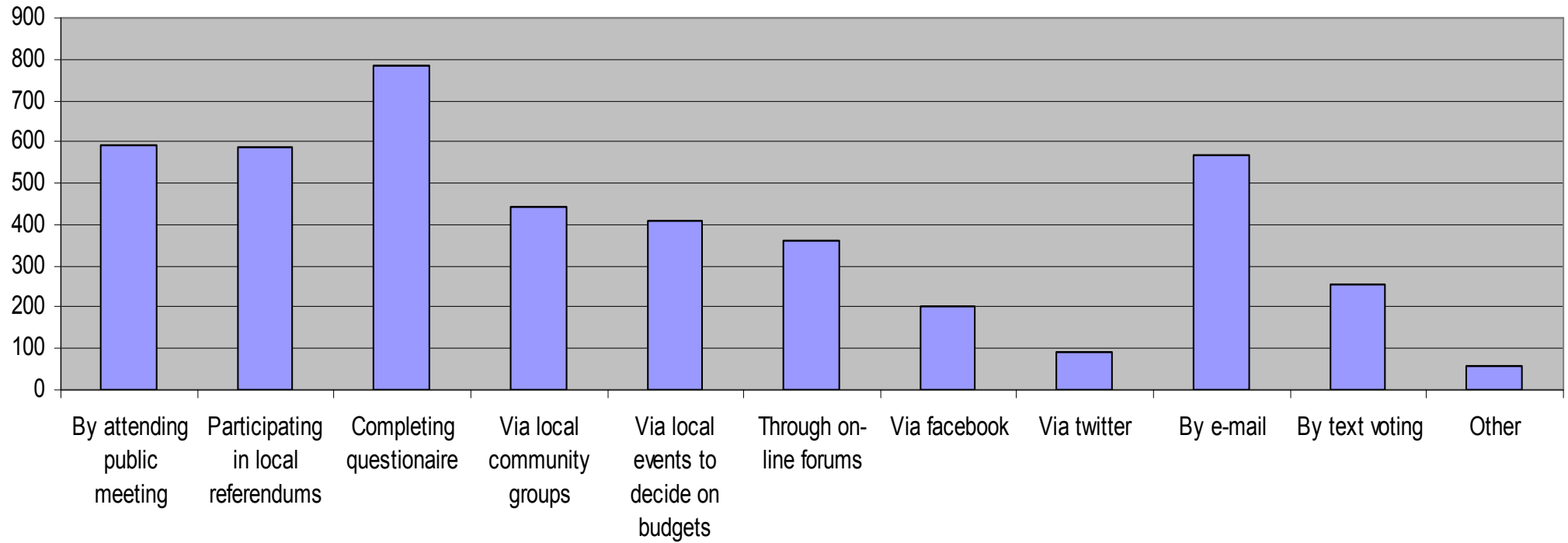
	Very likely	113	30.1	186	22.8	299	25.1
	Fairly likely	149	39.7	366	44.9	515	43.3
	Neither	29	7.7	93	11.4	122	10.3
	Fairly unlikely	37	9.9	94	11.5	131	11.0
	Very unlikely	27	7.2	76	9.3	103	8.7
	Don't know	20	5.3	0	.0	20	1.7
	Total	375	100.0	815	100.0	1190	100.0
Missing	No response	1		10		11	
Total		376		825		1201	



**Table 8b: If you are interested in being more involved in decision making in neighbourhoods, how would you like to be involved?**

	Portal & Paper			Post Card			Portal, Paper & Post Card		
	Frequency	% of those wishing to be involved	% of all respondents	Frequency	% of those wishing to be involved	% of all respondents	Frequency	% of those wishing to be involved	% of all respondents
By attending public meeting	241	69.1%	64.1%	353	46.8%	42.8%	594	53.9%	49.5%
Participating in local referendums	239	68.5%	63.6%	349	46.3%	42.3%	588	53.3%	49.0%
Completing questionnaires	270	77.4%	71.8%	515	68.3%	62.4%	785	71.2%	65.4%
Via local community groups	195	55.9%	51.9%	249	33.0%	30.2%	444	40.3%	37.0%
Via local events to decide on budgets	174	49.9%	46.3%	233	30.9%	28.2%	407	36.9%	33.9%
Through on-line forums	171	49.0%	45.5%	188	24.9%	22.8%	359	32.5%	29.9%
Via Facebook	98	28.1%	26.1%	103	13.7%	12.5%	201	18.2%	16.7%
Via twitter	56	16.0%	14.9%	35	4.6%	4.2%	91	8.3%	7.6%
By e-mail	211	60.5%	56.1%	358	47.5%	43.4%	569	51.6%	47.4%
By text voting	91	26.1%	24.2%	162	21.5%	19.6%	253	22.9%	21.1%
Other	21	6.0%	5.6%	35	4.6%	4.2%	56	5.1%	4.7%

### How would you like to be involved?



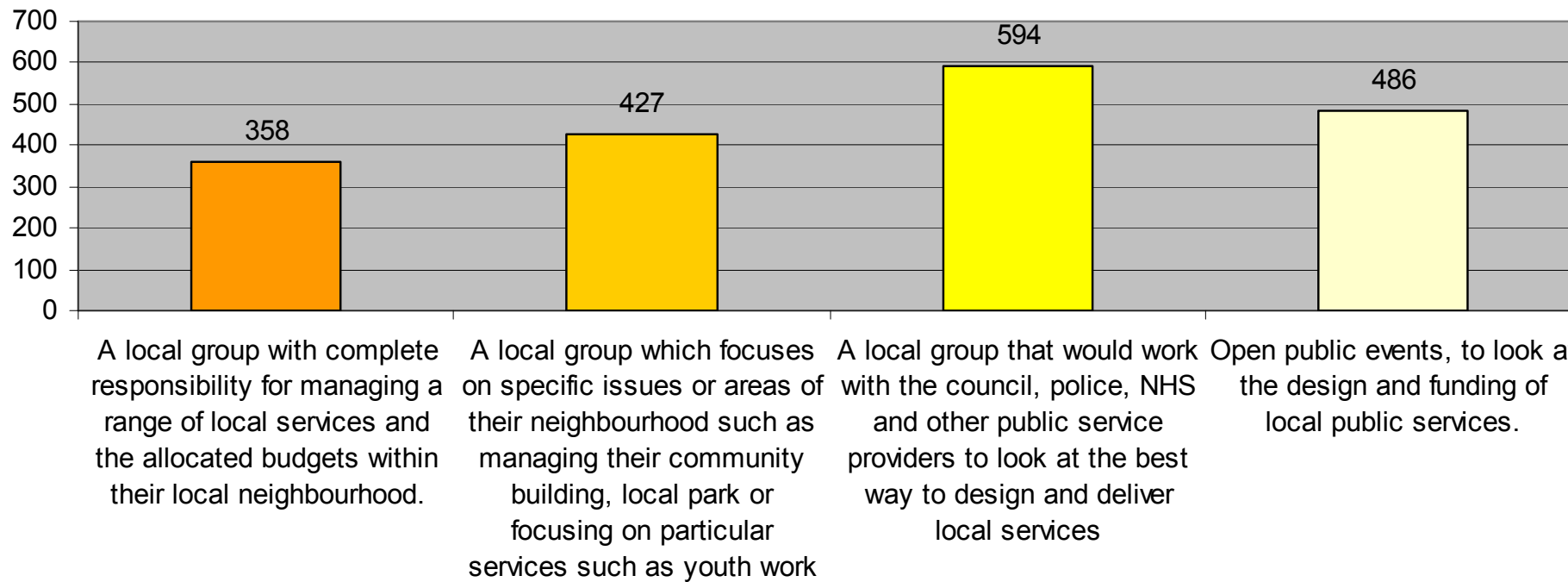
**Table 8d: If more decision making in neighbourhoods were to take place who would you like to lead your neighbourhood events or meetings?**

	Frequency	Percent
The council	47	12.8
Your local councillor	95	25.9
A local resident chosen by participants	58	15.8
A local representative group	109	29.7
An independent person or group from outside the community	32	8.7
Other	26	7.1
Total	367	100.0
Missing	No response	9
	Total	376

**Table 8c: If you would like to be involved in decisions in neighbourhoods, would you be interested in becoming involved in any of the following...**

	Portal & Paper			Post Card			Portal, Paper & Post Card		
	Frequency	% of those wishing to be involved	% of all respondents	Frequency	% of those wishing to be involved	% of all respondents	Frequency	% of those wishing to be involved	% of all respondents
A local group with complete responsibility for managing a range of local services and the allocated budgets within their local neighbourhood.	96	30.9%	25.5%	262	43.8%	31.8%	358	39.4%	29.8%
A local group which focuses on specific issues or areas of their neighbourhood such as managing their community building, local park or focusing on particular services such as youth work	163	52.4%	43.4%	264	44.1%	32.0%	427	47.0%	35.6%
A local group that would work with the council, police, NHS and other public service providers to look at the best way to design and deliver local services	228	73.3%	60.6%	366	61.2%	44.4%	594	65.3%	49.5%
Open public events, to look at the design and funding of local public services.	169	54.3%	44.9%	317	53.0%	38.4%	486	53.5%	40.5%

### Would you be interested in becoming involved in any of the following

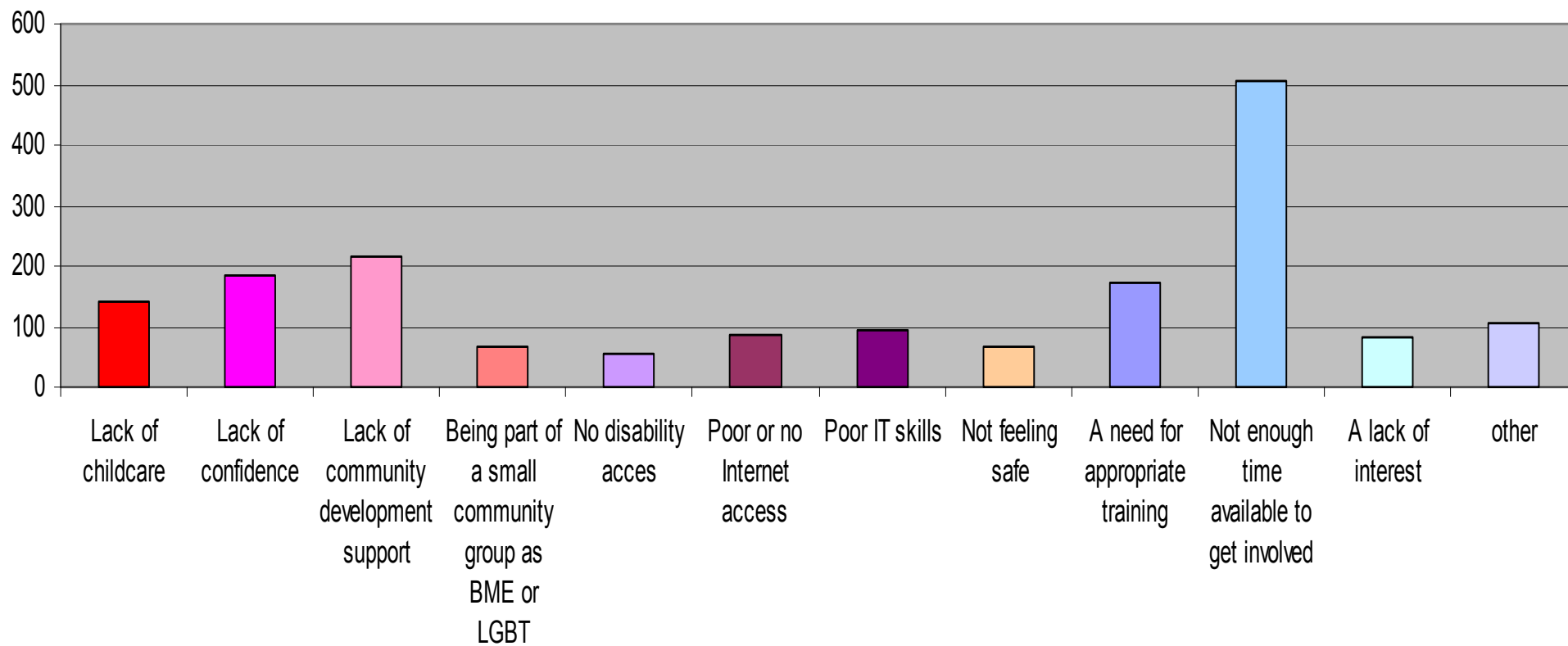




**Table 9. What would stop you being involved in local decision making?**

	Portal & Paper			Post Card			Portal, Paper & Post Card		
	Frequency	% of those wishing to be involved	% of all respondents	Frequency	% of those wishing to be involved	% of all respondents	Frequency	% of those wishing to be involved	% of all respondents
Timing of meetings	231	69.0%	61.4%	na	na	na	na	na	na
Lack of childcare	53	15.8%	14.1%	87	13.3%	10.5%	140	14.2%	11.7%
Lack of confidence	45	13.4%	12.0%	140	21.4%	17.0%	185	18.7%	15.4%
Lack of community development support	75	22.4%	19.9%	139	21.3%	16.8%	214	21.7%	17.8%
Being part of a small community group	39	11.6%	10.4%	28	4.3%	3.4%	67	6.8%	5.6%
No disability access	17	5.1%	4.5%	37	5.7%	4.5%	54	5.5%	4.5%
Poor or no Internet access	14	4.2%	3.7%	73	11.2%	8.8%	87	8.8%	7.2%
Poor IT skills	7	2.1%	1.9%	86	13.2%	10.4%	93	9.4%	7.7%
Not feeling safe	23	6.9%	6.1%	45	6.9%	5.5%	68	6.9%	5.7%
A need for appropriate training	52	15.5%	13.8%	122	18.7%	14.8%	174	17.6%	14.5%
Not enough time available to get involved	154	46.0%	41.0%	352	53.9%	42.7%	506	51.2%	42.1%
A lack of interest	28	8.4%	7.4%	53	8.1%	6.4%	81	8.2%	6.7%
other	49	14.6%	13.0%	56	8.6%	6.8%	105	10.6%	8.7%

### What would prevent you being involved?





**Table 10a: Are you aware of any of the following representative groups operating in your local area?**

	Frequency	Percentage
Neighbourhood Forum	93	28.4%
Tenants Association	101	30.8%
Residents Association	172	52.4%
Other	47	14.3%
None	99	30.2%
Total	512	156.1%

Base all respondent to the full questionnaire that answered the question (328)

**Table 10b: Are you currently or have you previously been involved with any local representative group?**

	Frequency	Percentage
Currently involved	108	40.3
Previously involved	54	20.1
Never been involved	106	39.6
Total	268	100.0
Missing	No response	108
Total	376	

**Table 10c: Do you think your group may like to express an interest in being a pilot area for this new approach to local decision making?**

	Frequency	Percentage
Yes	51	31.9
No	18	11.3
Don't know / not sure	91	56.9
Total	160	100.0
Missing	No response	216
Total	376	

**Tables 11: Do you think that taking some responsibility away from the council and giving more responsibility to local residents could have a positive or negative impact on the issues below?**

<b>Table 11 (i): Providing greater value for money</b>		
	Frequency	Percentage
Positive	165	44.7
Make no difference	60	16.3
Negative	74	20.1
Don't know	70	19.0
Total	369	100.0
Missing	No response	7
	Total	376

<b>Table 11 (ii): Creating better local services</b>		
	Frequency	Valid Percent
Positive	221	60.4
Make no difference	48	13.1
Negative	38	10.4
Don't know	59	16.1
Total	366	100.0
Missing	No response	10
	Total	376

<b>Table 11 (iii): Providing community solutions to local issues</b>		
	Frequency	Valid Percent
Positive	300	81.5
Make no difference	23	6.3
Negative	16	4.3
Don't know	29	7.9
Total	368	100.0
Missing	No response	8
	Total	376

<b>Table 11 (iv): Bringing the community together</b>		
	Frequency	Valid Percent
Positive	268	73.0
Make no difference	49	13.4
Negative	28	7.6
Don't know	22	6.0
Total	367	100.0
Missing	No response	9
	Total	376

<b>Table 11 (v): Raising awareness of political issues</b>		
	Frequency	Valid Percent
Positive	188	51.1
Make no difference	103	28.0
Negative	28	7.6
Don't know	49	13.3
Total	368	100.0
Missing	No response	8
	Total	376

## 6. Demographic and Equalities

Other than postcode, demographic and equalities questions were only ask of the 376 respondents who completed the full questionnaire. A higher proportion than usual did not respond to these question. This makes it difficult to estimates how representative of the city's population responses are over all.

**Table 12: Responses by ward**

	Portal & Paper		Postcard		All Responses	
	Frequency	Percent	Frequency	Percent	Frequency	Percent
Brunswick and Adelaide	12	3.2	42	5.1	54	4.5
Central Hove	13	3.5	23	2.8	36	3.0
East Brighton	22	5.9	34	4.1	56	4.7
Goldsmid	18	4.8	49	5.9	67	5.6
Hangleton and Knoll	15	4.0	34	4.1	49	4.1
Hanover and Elm Grove	29	7.7	51	6.2	80	6.7
Hollingdean and Stanmer	23	6.1	35	4.2	58	4.8
Hove Park	3	.8	33	4.0	36	3.0
Moulsecoomb and Bevendean	12	3.2	34	4.1	46	3.8
North Portslade	1	.3	24	2.9	25	2.1
Patcham	15	4.0	35	4.2	50	4.2
Preston Park	26	6.9	60	7.3	86	7.2
Queen's Park	26	6.9	41	5.0	67	5.6
Regency	11	2.9	27	3.3	38	3.2
Rottingdean Coastal	14	3.7	44	5.3	58	4.8
South Portslade	3	.8	21	2.5	24	2.0
St. Peter's and North Laine	38	10.1	53	6.4	91	7.6
Westbourne	8	2.1	31	3.8	39	3.2
Wish	12	3.2	28	3.4	40	3.3
Withdean	13	3.5	43	5.2	56	4.7
Woodingdean	9	2.4	24	2.9	33	2.7
Not known	49	13.0	57	6.9	106	8.8
Out of city	4	1.1	2	.2	6	0.5
Total	376	100.0	825	100.0	1201	100.0

<b>Table 13: Gender</b>			
		Frequency	Percent
	Male	147	46.2
	Female	171	53.8
	Total	318	100.0
Missing	No response	58	
	Total	376	

- Four respondents identified as transgender

<b>Table 14: Age by group</b>			
		Frequency	Percent
	16 - 24	4	1.4
	25 - 34	44	15.0
	35 - 44	83	28.2
	45 - 54	74	25.2
	55 - 64	59	20.1
	65 - 74	19	6.5
	over 74	11	3.7
	Total	294	100.0
Missing	No response	82	
	Total	376	

<b>Table 15: Ethnicity</b>			
		Frequency	Valid Percent
	White - British	231	83.7
	White - Irish	6	2.2
	White - traveller	1	.4
	White - 'Other'	14	5.1
	BME	24	8.7
	Total	276	100.0
Missing	No response	100	
	Total	376	

<b>Table 16: Religion</b>		
	Frequency	Valid Percent
I have no particular religion	117	39.3
Buddhist	7	2.3
Christian	82	27.5
Jewish	4	1.3
Muslim	1	.3
Pagan	5	1.7
Agnostic	10	3.4
Atheist	51	17.1
Other	13	4.4
Other Philosophical belief	8	2.7
Total	298	100.0
Missing	No response	78
	Total	376

<b>Table 17: Sexual Orientation</b>		
	Frequency	Valid Percent
Heterosexual	215	76.2
LGBT	67	23.8
Total	282	100.0
Missing	No response	94
	Total	376

<b>Table 18: Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?</b>		
	Frequency	Valid Percent
Yes	52	16.6
No	262	83.4
Total	314	100.0
Missing	No response	62
	Total	376

<b>Table 18a: Type of impairment</b>		
	Frequency	Percent
Physical impairment	23	45.1%
Sensory impairment	3	5.9%
Learning disability / difficulty	2	3.9%
Long-standing illness	26	51.0%
Mental health condition	19	37.3%
Other disability	6	11.8%
Total	79	154.9%

**Base: All respondents with a limiting health problem or disability and who answered the question (51)**

<b>Table 19: Are you a carer?</b>		
	Frequency	Percent
Yes	47	15
No	267	85
Total	314	100
Missing	No response	62
Total	376	





**Appendix Two**

# Neighbourhood Governance Board

## TERMS OF REFERENCE

**April 2012**

This document has been approved by:

Name	Date	Version
BHCC Strategic Leadership Board		
Cabinet Member for Communities & Community Safety or Chair: Policy & Resources Committee ??		

## 1. Role and function

1.1 The Neighbourhood Governance Project Board (NGPB) is a cross-council body comprised of senior managers from across the authority. Partners from other agencies will be included where appropriate however responsibility rests with the council. The role of the NGPB is to provide overall direction and management to the piloting and creation of new neighbourhood governance structures and mechanisms and to ensure that these are aligned with wider programme and other corporate and partnership priorities. Key responsibilities can be summarised as follows:

- To shape, lead and implement cross council approaches to neighbourhood governance for the two pilot areas and potentially for full roll-out across the city.
- To establish the necessary implementation and learning groups, examine resource requirements (budgetary and staffing) and ensure that these are released or redirected as necessary.
- To consider emerging national policy and guidance and translate these into actions.
- To monitor progress and agree new actions arising from emerging learning points receiving regular reports from the Project Manager.
- To sign-off major decisions and agree any changes to the project.
- To provide a professional view and steer and/or seek specialist advice, where appropriate.
- To provide assurance at key project milestones that activities and/or outputs have been successfully delivered to the required quality.
- To identify, monitor and take steps to ameliorate project risks.
- To ensure effective communication, engagement and dissemination of information within the project, the council and to partner organisations.

## 2. Reporting lines

2.1 The NGPB reports to the council's Strategic Leadership Board and Policy & Resources Committee.

## 3. Purpose and remit

3.1 The purpose of the NGPB is to provide effective leadership for the development and implementation of new forms of neighbourhood governance making changes to existing decision making and service provision as necessary. Key areas of focus will include:

1. Localism: developing a cross-council response to the legislation and government guidance in order that residents receive a clear seamless response and resources are deployed effectively.

2. Participatory Budgeting: identifying and allocating resources for the pilot areas to use in participatory budgeting exercises in order to test approaches, mechanisms and processes.
3. Cross-service front line working: improving joint working and communication of front-line staff with a solution focused approach

### **3. Membership**

- 3.1 The NGPB comprises the following members:
  - Abraham Ghebre-Ghiorghis, Head of Legal & Democratic Services
  - David Murray, Strategic Director, Communities (Chair)
  - Nick Hibberd, Head of Housing & Social Inclusion
  - Nigel Manvell, Head of Financial Services
  - Martin Randall, Head of Planning & Public Protection
  - Mary Evans, Commissioner - Communities & Equality
  - Peter Wilkinson, Lead Commissioner - Public Health
  - Richard Butcher Tuset, Head of Policy & Performance
  - Sam Warren, Community Engagement Co-ordinator (Project Manager)
  - Steve Barton, Lead Commissioning – Children, Youth & Families
- 3.2 Additional staff members and partners may be asked to join and / or report into the group, to provide specialist knowledge and skills as required.
- 3.3 All group members will follow the ground rules below:
  - Committing to and prioritising the project.
  - Observing the sensitivities associated with the project and, as necessary, maintaining the confidentiality of information.
  - Working openly and transparently with fellow group members, operating in an environment of respect and co-operation.

### **4. Frequency of meetings**

- 4.1 NGPB meetings are to be held **6-weekly** during the planning and implementation of the pilots. However, on an on-going basis, the frequency of these meetings is to be reviewed and increased or decreased as required.

### **5. Administration**

- 5.1 NGPB meetings are to be arranged and minuted by the Communities & Equality team. Minutes are to be circulated within five days of each meeting.

- 5.2 The BHCC Project Manager will prepare agendas and collate papers, for the approval of the Chair.
- 5.3 Group members are to forward meeting papers to Thalia Liebig a minimum of three working days in advance of the meeting. Agendas and papers are then to be circulated a minimum of two working days in advance of the meeting.

DRAFT

<b>Subject:</b>	<b>i360 Public Funding Options</b>
<b>Date of Meeting:</b>	<b>10 May 2012</b>
<b>REPORT OF:</b>	<b>Strategic Director Place &amp; Director of Finance</b>
<b>Contact: Officer:</b> Name:	<b>Katharine Pearce</b> <b>Tel 29-2553</b>
	E-mail: katharine.pearce@brighton-hove.gov.uk
<b>Key Decision:</b> Yes	Forward Plan No: CAB29110
<b>Wards Affected:</b> Regency & seafront wards	

**FOR GENERAL RELEASE****1. SUMMARY:**

This report sets out public financing options for the i360 development and updates Members on issues of timing in relation to i360 and the wider regeneration of the seafront. It also provides an update on the very recent result of a Growing Places Fund (GPF) bid to the Coast to Capital Local Enterprise Partnership (C2CLEP). The report seeks authority from Cabinet for officers to enter into a negotiation with both the C2CLEP and Brighton i360 Ltd on preferred loan financing terms to unlock the project and enable development to commence in earnest to allow a projected completion by April 2014.

**2. RECOMMENDATIONS:**

That Cabinet authorise officers to:

- 2.1 Enter into detailed negotiation with Brighton i360 Ltd regarding loan financing terms under preferred prudential borrowing arrangements.
- 2.2 Draw up detailed loan financing and repayment terms under preferred prudential borrowing arrangements as set out in paragraph 3.12 of this report.
- 2.3 Enter into detailed negotiations with Brighton i360 Ltd and the C2CLEP on loan financing and repayment.
- 2.4 Report back to Policy & Resources Committee on 12 July 2012 setting out the outcome of negotiations on both 2.2 and 2.3 above.
- 2.5 Complete negotiations with the Brighton i360 Ltd regarding the underwriting of all reasonable expenditure necessary to complete negotiations and agreements required by the council to progress items 2.1 to 2.4 above (noting that Brighton i360 Ltd have accepted the underwriting in principal).

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The i360 development is a private sector led £35m visitor attraction developed by the same team that delivered the London Eye. It was given a unanimous planning consent on 11 October 2006 and the proposal will be built in large part on land which is currently owned by the West Pier Trust. It is recognised that the i360 will create jobs, boost the conference and visitor economy of the city and the wider region and attract upwards of 800,000 visits per year. It provides the final catalyst to complete the seafront development strategy and therefore contribute to the wider economic resilience and development of the city. It is iconic in scale and design and will raise the profile of the city and the region on the national and international business, convention and tourism stage.
- 3.2 Following planning consent in October 2006 the project stalled in the wake of the 2008 financial crunch and the contraction in bank lending on such projects.
- 3.3 The project is at an advanced stage with construction contracts in place, advanced prefabrication underway and a detailed implementation plan, licences and some legal agreements already completed.
- 3.4 On 31 January 2012, in partnership with the Developer, the council submitted a bid to the Coast to Capital Growing Places Fund operated by the Local Enterprise Partnership (LEP). The bid was made to the LEP on the basis that there was a demonstrable market failure and that the scheme was a good fit with the requirements of the bidding criteria; namely to support projects offering sustainable growth which were able to move forward at pace and deliver significant regeneration benefits. The bid was for £3m.
- 3.5 The project bid has now been assessed by the LEP Investment Committee (25/04/12) and they have recommended the project be approved for the full amount of the bid. Details of the conditions of the funding will be reported back to Policy & Resources Committee after the Due Diligence process has been completed by the LEP's advisers Genecon.
- 3.6 The current capital funding situation for the i360, including the LEP funding, is outlined in detail in the financial section of this report.
- 3.7 **Economic Resilience & Regeneration**

The city council has continued to provide support to the i360 project for a number of strategic and financial reasons as outlined below:

- (i) The project provides a unique and financially sustainable visitor attraction at a key strategic location on the seafront with many spin off regenerative benefits for the wider area.

- (ii) A visitor attraction at this location on the seafront will draw an estimated 600,000 to 1,000,000\* visitors a year, and this will generate upwards of £5m per annum in additional spend in the area. This in turn will offer a very urgently needed boost to businesses in Preston Street and beyond who currently suffer higher than average vacancy rates and reducing footfall and many of which are struggling to survive the current recession.
- (iii) The i360 attraction will directly create at least 154 full-time equivalent operational and construction jobs. This will include a minimum of 3 management training scheme apprenticeships. The council's Economic Development Team have also reviewed all the data and estimated that the wider spin off job creation from the project will be in the order of 444 jobs.
- (iv) The indirect employment benefits will result from a number of factors such as the increase in tourism numbers, the letting out as new business units the currently derelict arches to the east and west of the i360, increase in business to Preston Street generally and also the boost to the wider city economy via conferencing and delegate spend – particularly from overnight visitors.
- (v) The council will receive an equivalent of 1% of ticket revenue from the project to complete the landscaping schemes to either side of the West Pier site and this in turn will create a more beneficial environment for business to flourish.
- (vi) Deliverability – the project has planning permission and there are no significant remaining logistical or legal issues to resolve. It is effectively ready to start on site within 2 to 3 months of funding being secured.
- (vii) The i360 project has always received much public and business support and has captured the public imagination. By operating all year round it will help to even out fluctuations in tourism revenue for the city; it will help deliver high value business tourism visitors such as conference delegates and will also raise Brighton & Hove's profile as a vibrant and modern city.
- (viii) The i360 team have been committed to exploring ways to ensure access to the attraction for all members of the community. In particular, they have committed, in line with the council's own policy, to provide concessions for local people by way of reduced ticket prices at certain times of the year and/or specific promotions for local schools and/or community events.
- (ix) The i360 will be constructed predominantly on land owned by the West Pier Trust (WPT) which is a not for profit charitable trust. The West Pier Trust are wholly supportive of the project, not least because it allows the reproduction of the spirit of the West Pier in a 21<sup>st</sup> Century form, but it also allows the WPT to use the rental income from their lease with the i360 to recreate aspects of the original West Pier in various forms: a permanent exhibition, a virtual interactive display, re-building of ticket booths and kiosk, preservation of original columns and the re-use of cast iron columns as part of a new archaeological garden.
- (x) The arches to the east of the site and those to the west have been in need of refurbishment for many years. Strengthening works are due

to take place within months to the western arches (October 2012) and the progression of the i360 will finally allow a robust business case to be made to fund the refurbishment of the interior of the arches to create new units which can be let to local businesses.

- (xi) The business case to refurbish the arches to the east of the site can then also be made. Between them, the newly refurbished arches will provide much needed jobs and business opportunities and will also deliver significant rental income and business rates directly to the council. Their improvement will also complete the regeneration of this important part of the seafront.
- (xii) At planning application stage the i360 project received an unprecedented amount of support locally and also from bodies such as English Heritage who fully endorsed the principle of a 21<sup>st</sup> Century pier at this location.

In the light of all of the above, council officers have been working pro-actively for several months with Marks Barfield Architects (MBA) exploring a number of different options to facilitate funding of the Brighton i360 project at minimal risk to the council. This has included a re-appraisal of all the key visitor and financial assumptions and those elements relating to other similar attractions in the UK and elsewhere.

Note:

3.7 (ii) Figures recently produced by AECOM as part of Due Diligence on Tourist Visitor Numbers for the i360.

### **3.8 Current funding position for the i360**

The project requires total investment of approx. £35m of which the project team have raised £18m equity funding, some of which is subject to the balance of funding being secured. The team have sought bank finance for the remaining balance of funding of £17m. The continuing huge uncertainty in the money markets has meant that bank funding is impossible to secure for this kind of project without additional security on offer. The team do have an offer from a high street bank to provide £6m funding as part of a consortium of lenders, but this would require council guarantees to be put in place. The council will derive direct and indirect financial benefits if the scheme is completed and successful (these are set out in paragraph 3.12) and can also achieve a commercial return on any financial support it offers. The project can only proceed to completion whilst the current financial conditions persist with additional financial support from the council and the LEP. Various options to provide this support and the risks and rewards entailed have been considered and these are set out in paragraph 3.14 to 3.17.

### **3.9 Construction costs**

The construction costs are estimated to be just under £26m and a further contingency provision of 5% is made in the full investment budget. The £35m investment budget also covers fees, fit-out costs, operating costs between financial close and opening, development costs and rolled up financing costs. The development costs of £3.3m that have already been



incurred to get the project to this stage include the purchase of the steel and have been funded by the equity investors.

Construction and development will be managed through an overall single turnkey construction contract. A number of risks have been identified that may impact on the overall capital costs of the project and strategies to mitigate or minimise each risk have been identified. Some of the key strategies are:

- A fixed price contract from the contractor.
- Any changes to the specification resulting in increased costs will be met by the equity investors.
- As part of the agreement between Brighton i360 Ltd and the main contractor a £5m performance bond (guarantee) has been included in the contract to ensure delivery on time.

### 3.10 i360 Financials

The financial assumptions were independently reviewed in October 2011 by the Economics Team at AECOM, a worldwide professional technical and management support services firm. They have looked at the attendance and financial projections and have concluded that the i360 should achieve just under 800,000 visitors in its first year of operation and an operating profit of approx. £6.7m per annum.

The attendance forecasts vary between a high forecast of 1m and a low forecast of 600,000. The table below shows the estimated profit that would be achieved if visitor numbers and the amount each visitor will spend are lower than anticipated, for example if visitor numbers are 10% lower than anticipated at 720,000 and income per visitor is 10% lower than anticipated then the profit forecast will be £5.4m in year one.

**Forecast Operating Profit in Year 1**

Assumed Visitor numbers	800,000 (Base Case)	720,000	600,000 (Low forecast)	480,000
Total Assumed Income per Visitor (Including VAT)	Forecast Profit £ million	Forecast Profit £ million	Forecast Profit £ million	Forecast Profit £ million
Base Case	6.7	6.0	5.0	4.0
Base Case less 10%	6.0	5.4	4.5	3.6
Base Case less 25%	5.1	4.6	3.8	3.1
Base Case less 40%	4.1	3.7	3.1	2.5

The operating profit needs to be sufficient to meet the costs of the debt finance. These are estimated to be approx. £2.5m in interest and provisions for loan repayment on a £17m debt. The operating profit is therefore sufficient to meet these costs even if visitor numbers fall significantly below the low forecast and income per visitor is 40% below the base case. The debt interest and repayment charges will be met before any dividend is paid to the equity investors.

### 3.11 **Due Diligence**

Finance officers have reviewed the business case and AECOM reports in detail discussing and testing assumptions with the i360 team and undertaking key sensitivities to ensure the financial modelling is robust. A full financial audit will be undertaken using appropriate financial and property advisers as part of the due diligence process prior to Policy & Resources Committee in July and the business case will be included in the papers for that Committee.

### 3.12 **Financial benefits to the council from the i360 development**

The potential financial benefits to the council once the i360 is operational come directly from the scheme and from the knock-on effect to other local businesses.

#### *Direct financial benefits:*

- S106 revenue payments will be triggered generating an annual income share of 1% of gross ticket revenues worth an estimated £70,000 per annum. This will enable £1.76m investment in the surrounding seafront filling the gap in the seafront redevelopment as detailed in paragraph 3.7 (v).
- From April 2013, as part of major changes to local government finance the council will also receive a significant share of any growth in business rates. The i360 development is expected to pay approx. £120,000 per annum potentially from early summer 2014.

#### *Indirect financial benefits:*

- There is the potential for further growth in business rates from private investment in new businesses and existing business expansion generated by the increased number of visitors particularly in those areas close to the i360.
- The council-owned Regency Square Car Park is located very close to the i360 and car parking income is also likely to increase.
- The council owns the seafront arches either side of the i360 most of which do not generate any income as they need investment to bring them back into use and the business case for investment is not currently sustainable. Road strengthening works are due to be carried out in October 2012 on the arches west of the i360. Development of the i360 will almost certainly make the investment in internal refurbishment of these arches for final letting viable. It will also support the case for refurbishment of the eastern arches. The eastern and western arches will then become a significant source of additional

revenue to the council, as they have along other parts of the seafront, generating business rates income and greater income from lettings.

### 3.13 **Bidding for Growing Places Funds from the Coast to Capital Local Economic Partnership (C2CLEP)**

The council made an initial bid of £3m investment from the £23m Growing Places Fund allocated to the C2CLEP. The bid was approved by the Board on the 25 April 2012 subject to due diligence and agreement of terms. As part of the terms, the LEP will expect to receive a commercial return on their investment and early repayment of their investment (over 3 years after construction) into their revolving fund so that they can support other schemes. As potentially the senior debt funder, the council will need to negotiate all the terms with Brighton i360 Ltd and the LEP. The investment by the LEP will reduce the funding gap to £14m and similarly reduce the risk exposure of the council.

### 3.14 **Options**

The i360 team includes GVA Financial Consulting who have been employed to advise Brighton i360 Ltd on financing options to help secure funding for the project. GVA have worked on a wide range of projects and have experience of the accounting and legal requirements necessary to successfully deliver council support on a number of schemes including projects with the London Boroughs of Croydon and Brent. Council officers have worked closely with GVA to identify the different ways in which council support could help finalise the funding package for the i360.

3.15 The options available to the council are as follows:

#### **Preferred Option:**

1. The council provides debt funding to the project for the balance outstanding. The analysis shows that this option is roughly equivalent in risk to the other options but provides much more security and the potential for a significantly greater return.

#### **Other Options:**

2. The council uses its cash balances as security against the debt repayments with the debt provided by a bank or similar organisation.
3. The council provides security by taking a sub-lease from the debt provider, usually a pension fund, and then grants a sub-lease to the operator. Debt repayments take the form of rent paid by the operator to the council, and then by the council to the funding pension fund.
4. The council provides a guarantee to the funding bank or similar organisation of the capital and/or revenue payments from the project.

Appendix 1 sets out a summary assessment of each option covering the financial outlay and impact, security available to the council, risk of financial loss and the financial return. If it is agreed by Cabinet, it is

therefore recommended that officers negotiate terms with Brighton i360 Ltd on the basis of the council providing debt funding. The following sections provide more information on what is entailed.

### 3.16 Council provides debt funding

The council would act as a bank entering into a loan agreement with Brighton i360 Ltd. The legal powers to do this are covered in the legal implications of this report and the council would use its borrowing powers under the Prudential Code for Capital Finance, where the council must be able to demonstrate that the borrowing is affordable. Any decision to take up this borrowing will not impact upon any future borrowing decisions on other schemes, which will be considered separately on their individual merits.

There are a number of issues the council will need to take into account should the council agree to provide debt funding to Brighton i360 Ltd:

- **Legality** – Section 5.1 of this report sets out the powers that the council may use in order to provide debt financing.
- **State Aid** – In order to comply, the council must consider all aspects within the terms and conditions of what would be normal commercial practice when making the loan.
- **The length of the loan** – Initial discussions have indicated that a loan over approximately 12 years is required, i.e. for the construction period plus 10 operational years. Earlier repayment may be possible through refinancing and the council will need to ensure that refinancing clauses within the loan agreement protect its financial return.
- **Security of loan and interest payments** – It is imperative that the debt financing is repaid over the period agreed between the parties. The council will secure the loan over the assets and revenues of the company. This is standard commercial practice and ensures that repayment of the loan together with all interest and other charges are fully met in preference to equity holders receiving a dividend.
- **Funding** – In order for the council to lend to the company it will need to borrow funds from the financial market (i.e. the PWLB or other commercial lender). The council will be responsible for repayment of the loan and interest payments. The borrowing will form part of the limit set annually by full Council and the amount outstanding will create a liability on the council's balance sheet. The Prudential Code requires the council to ensure all borrowing is affordable, prudent and sustainable. Failure by Brighton i360 Ltd to repay debt and/or interest in a timely manner will result in the council using other resources to meet the requirements of the Code.
- **Accounting** – The council will need to ensure that all aspects of the proposal are properly reflected in the accounts and conform with current codes of practice. The prudential indicators required by the Prudential Code and approved annually by full Council will reflect the terms of the new borrowing, whilst the annual Treasury Management

Policy Statement also approved by Members will include measures for the raising of the new debt and the planned repayment.

### 3.17 **Benefits and risks**

The council will recover all fees and charges associated with organising the loan, covering the full costs of council time and ensuring comparability with the wider commercial marketplace.

State Aid rules mean that the council must charge the going commercial rate on the loan. In determining the rate to charge Brighton i360 Ltd, the council will take into account the cost to the council of borrowing the funds plus a premium to reflect the commercial risk that a project of this nature necessitates and the on-going costs in administering the loan. The risk premium is estimated to generate a net return to the council on a £14m loan of approx. £0.5m per annum. This should in the early phases of the project be set aside as a contingency to cover off potential risks, but as the project progresses and income streams are established (and thereby reducing risk) it can be released into the budget. Members will need to determine how this money will be used, but an option would be to set up an investment fund which would support projects designed to help the poorest and most vulnerable in the community.

The principal financial risk is repayment of the loan and payment of the loan interest. The payments will be met from the operating profit and the table in paragraph 3.10 shows a range of sensitivities on the key variables, which show that even a 40% reduction in visitors and income would still enable sufficient profit (£2.5m) to be made to more than cover the anticipated debt payments. As the project progresses the debt payments could also be secured against guaranteed income streams from, for example, marketing, naming rights and catering concessions. Brighton i360 Ltd will provide a list of potential sponsors for the council to approve before detailed negotiations take place with sponsors. At this early stage it is estimated that the income streams from sponsorship and concessions could exceed £1m per annum. The council would also secure the loan through a combination of the following securities:

- **First Charge** – taken over the land and buildings which form the primary security for the loan. This would be registered against the property title in the land registry.
- **First Floating Charge** – taken over moveable assets including vehicles, moveable equipment, furniture and cash, which is less secure as items can be sold.
- **Step-in-rights** – provides the lender with the ability to take over construction/operations of the development or business if there is a default under the loan (e.g. a failure to pay interest or capital).
- **Interest on Insurance Contracts** – the lender has their interest noted on insurance contracts both during construction and operation.

### 3.18 **Negotiation issues**

In order that the debt financing is not classified as State Aid the council must treat the arrangement with Brighton i360 Ltd to be E.U. State Aid compliant. Consequently, the council will need to negotiate with the company on the following issues:

- **Interest rate / risk premium** – In arriving at an interest rate a commercial funder would take into account a number of factors – (a) the opportunity cost of not having the funds available for other investments/projects, (b) a premium to reflect the risk the funder was taking in advancing the funds to the company, (c) a margin to reflect any on-going costs associated with the loan.

The major area for negotiation will be the level of premium over and above the council's cost of borrowing. It is highly likely that any commercial funder would view the project as high risk on the grounds that the company has been set up specifically to build and operate the facility and therefore has no commercial track record.

- **Repayment period / tranches** – A commercial bank would require certainty over the profile of debt repayments (i.e. instalments) and interest payments and would expect these to be incorporated within the company's final business case to evidence that repayment is achievable. The bank would impose a number of key ratios that are designed to keep the revenues within the company and place restrictions on dividend payments to shareholders. These ratios ensure the company retains sufficient funds to meet its operational and debt financing liabilities.
- **Security over revenues /assets** – A commercial funder will require security over all revenues and assets sufficient to meet the outstanding debt and interest payments. The council will seek similar security in addition to "step-in" rights discussed below.
- **Step-in rights** – In a worst case scenario whereby the i360 company is unable to attract sufficient numbers to generate revenue to meet interest payments, a commercial funder would protect its investment by exercising "step-in" rights that could range from a change in the company's management structure, a new company being selected to run the facility, or in the worst case scenario, running the company directly until the loan has been repaid and all interest paid.
- **Phasing of injection of shareholder funds** - The council will seek to reduce its exposure to risk during the construction period by negotiating with Brighton i360 Ltd and the LEP about the timing of the payment of their funding contributions. The shareholders have indicated that they would prefer funds to be injected on a pro-rata basis from the outset.

### 3.19 Timing

Timing of the project is a key consideration in relation to funding decisions on the i360:

- (i) Arch strengthening works are due to start on site in October 2012 to the west side of the West Pier. This will cause some level of disruption to the seafront (although this will be largely contained off road).
- (ii) Arch strengthening to the east of the West Pier may (subject to final funding confirmation) be progressed towards the latter part of the current financial year (in March 2013 onwards).
- (iii) Works to the Regency Square Car Park will be completed in summer 2012 which will allow for improved traffic management from Regency Square and improved crossing points for pedestrians.

If a funding solution is found for the i360 by July 2012 it will be able to start on site at the same time as the planned construction works to the seafront arches. By programming the i360 to start construction alongside these works, the total time period for disruption on the seafront can be significantly minimised and the most disruptive work for the public can be timed to take place within the winter months.

## 4. CONSULTATION

- 4.1 A Risk Workshop was held in February 2012 with the MBA team and their Employers Agent and key officers.
- 4.2 Extensive public consultation took place on the i360 project as part of the Planning Application in 2006. The project received much public and business support. A copy of the planning reports can be viewed on the council's website [Planning Application Sub Committee 11 October 2006].
- 4.3 It is also proposed to set up a consultative group to agree final recommendations for the landscaping proposals. Terms of Reference will be reported back in July.

## 5. COMPLIANCE ISSUES – LEGAL/FINANCIAL & OTHER IMPLICATIONS:

*Legal implications/statutory framework:*

- 5.1. Section 2 of the Local Government Act 2003 enables the council to do things which are likely to achieve the promotion or improvement of the economic, social or environmental well-being of their area. The previous council administration considered a proposal to support the i360 using these wellbeing provisions and the option of a council guarantee to support bank lending. Under the previous Government's guidance on wellbeing, it was considered that the term "promotion of economic, social or environmental well-being" was sufficiently broad to include cultural well-being generally, and in the case of the i360 it would appear that all three elements – economic, social and environmental - would be satisfied. The

statutory provision is broad enough to enable the council to act as a funder of this project without the need to set up a special purpose vehicle (SPV).

- 5.2 The Localism Act 2011 gives a general power of competence which enables the council to do anything that a competent individual can do provided that it is not otherwise restricted by legislation. In other words, it changes the old presumption that "the council cannot do it unless expressly empowered" to the new presumption that "the council can do it unless expressly restricted or prohibited". This power includes lending money, although it may be necessary to set up a SPV if commercial activity requirements in the Act are considered to have been triggered.
- 5.3 When the Localism Act came in to force this provision was not of immediate effect. However, it was intended that when it did come into force, the wellbeing provisions in the 2003 Act would be repealed. However, the general power was brought in to effect earlier than planned and the wellbeing provisions have not yet been repealed. It may be considered prudent to assume that the 2011 powers will be relied on, but this can be clarified in the counsel's opinion referred to below, which will be referred to in the follow up report referred to in recommendation 2.4.
- 5.4 Provided that any loan made to Brighton i360 Ltd is at commercial rates there would be a strong argument that no commercial advantage or market distortion has arisen, which would support a finding that there would be no State Aid implications.
- 5.5 So as to ensure compliance and probity in relation to this project, if the recommendations in this report are agreed it is proposed that counsel advice is also sought to confirm the appropriate use of powers and any State Aid implications.
- 5.6 The Big Wheel at Daltons Bastion, Madeira Drive will be given appropriate notice as required by the terms of the lease and licence from the council.

Legal officer consulted: Bob Bruce

Date: 17/04/12

*Financial Implications:*

- 5.7 The detailed financial implications are covered within the body of the report. The council will need to incur costs to enter into negotiations and to start drafting the agreement documents to ensure all the key negotiations points are identified. These costs are likely to cover the costs of counsel's opinion and the appointment of specialist legal, property and financial advisors to protect the council's interests. All of these costs will be fully reimbursed from the project and relevant provisions have been made within the business case. Brighton i360 Ltd have accepted in principle to underwrite all reasonable costs incurred prior to the loan agreement being signed. This would ensure that the council is not left to pick up costs if the loan agreement does not proceed.

Finance officer consulted: Mark Ireland

Date: 17/04/12



*Equalities Implications:*

- 5.8 An Access Statement accompanied the planning application and demonstrated a very clear understanding of the issues, setting out an approach to inclusive design judged to be the right approach by the Access Officer.

*Sustainability Implications:*

- 5.9 The operating company for the i360 will become a member of the Green Tourism Business Scheme and will promote environmental awareness and sustainability. Staff will be trained to reduce waste and conserve energy and resources. Energy use for the i360 will be sourced from a renewable supplier and supplemented by wind turbine energy on-site.

*Crime & Disorder Implications:*

- 5.10 Sussex Police Community Safety Branch commented at the planning stage: "The proposed development will enhance the location considerably, providing a safe and secure environment. The applicant has made a commitment to seek approval under the police initiative 'Secured by Design' which shows absolute commitment to policy QD7 of the Brighton & Hove Local Plan".

*Risk and Opportunity Management Implications:*

- 5.11 Council officers have been developing a risk & opportunity register which has applied the council's approved Risk Management Strategy methodology and has considered "*the effect of uncertainty on objectives*" in respect of this project and that "*an effect is a positive or negative deviation from what is expected*"<sup>1</sup>. There are some direct links to risks contained in the council's Strategic Risk Register. Detailed opportunities and risks presented by this project will be reported to Policy & Resources Committee in Part 2 in July 2012 and it is proposed that a briefing session is held with key Members prior to the July Committee meeting.

*Corporate / Citywide Implications:*

- 5.12 The Risk & Opportunity Register directly relates to corporate and city-wide implications and these will be addressed as part of the above.

**6. EVALUATION OF ALTERNATIVE OPTION(S):**

- 6.1 These are set out in the main body of the report (3.15).

**7. REASONS FOR REPORT RECOMMENDATIONS:**

- 7.1 These are set out in 3.8 in the report.

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<sup>1</sup> The definitions of Risk from the International Standard for Risk Management (ISO 31000)

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

Appendix One: Summary of security, risks and rewards of each approach

### **Documents in Members' Room:**

- Planning Report 2006/07

### **Background Documents:**

- Planning Report 2006/07



**Summary of security, risks and rewards of each approach**

This appendix looks at the financial impact of each of the 4 options listed and assesses the potential risks and rewards if the council was to proceed with that option. The appraisal is considered from a financial stand-point and based on the exposure to any potential loss and any potential returns to the council. It does not consider the wider social and economic merits of the scheme detailed in the body of the report.

**Assessment of each option based on £14m support from the council**

The options available to the council are as follows:

1. The council provides debt funding to the project for the balance outstanding.
2. The council uses its cash balances as security against the debt repayments with the debt provided by a bank or similar organisation.
3. The council provides security by taking a sub-lease from the debt provider, usually a pension fund, and then grants a sub-lease to the operator. Debt repayments take the form of rent paid by the operator to the council, and then by the council to the funding pension fund.
4. The council provides a guarantee to the funding bank or similar organisation of the capital and/or revenue payments from the project.

<b>Option</b>	<b>Financial outlay</b>	<b>Financial impact</b>	<b>Security available to the Council</b>	<b>Risk of financial loss</b>	<b>Financial return</b>
1	£14m from council borrowing under the prudential regime	The council is required to charge interest costs and (depending on the structure of the loan) loan repayments to the revenue account.	The council would get a first charge over the asset; the value of which when built is estimated to be in excess of £35m.	The council could incur financial loss from: <ul style="list-style-type: none"> <li>• Non repayment of the loan and interest on the loan;</li> <li>• Reduction in the value of the asset from £35m to below the outstanding capital value of the loan (£14m).</li> </ul>	The council, in complying with State Aid legislation will be required to offer the loan to Brighton i360 Ltd at a market rate, based on the financial strength of the project. This will be higher than the borrowing rate that the council can currently access from the PWLB and will result in a net income of approximately £0.5m each year for the council.

Option	Financial outlay	Financial impact	Security available to the Council	Risk of financial loss	Financial return
2	Requires the council to place £14m cash balances held by the council with the nominated lender (bank).	The council currently invests cash reserves and surplus cashflow balances with financial institutions as set out in the Annual Investment Strategy.	Any security held by the council would rank after the bank's charge.	The council is committed to cover any non-performance of the project, topping up any shortfall on the loan. Based on assessed bank rates this would be up to a maximum of £1.2m per annum.	The council may obtain additional interest from the cash lodged with the lender to reflect the funds at risk. In similar schemes this has been approximately 0.7% of the value held, and would equate to about £0.1m each year for the council.
3	No initial up front payment	The council must sign a lease agreement with the funder and commit to a long term contract, generally as a minimum 25 years. The council would then make annual lease payments to the funder which will increase each year in line with the Retail Price Index and enter into a sub-lease with Brighton i360 Ltd where the rent would be equivalent to the lease payments plus a margin.	Any security held by the council would rank after funders (normally a pension fund) security. The security to the council would be the lease agreement.	The council is committed to cover any non-performance of the project, topping up any shortfall from the i360 Company's rental payments potentially over a 25 year period.	The council should receive more in lease rental from Brighton i360 Ltd than would be paid to the funder to reflect the security given by the council over the funding. This would be the difference between the pension fund rate and State Aid rates and would be about £0.25m each year for the council.

Option	Financial outlay	Financial impact	Security available to the Council	Risk of financial loss	Financial return
4	No initial up front payment although there may be a requirement to set aside money within the accounts	Depending on the structure of the guarantee the council would have to assess whether this transaction constitutes a provision or a contingent liability in the accounts. If a provision is considered the most appropriate the council must assess the value of this provision and this must be charged to the revenue account in year 1. If the assessment of this provision reduces then the council write back elements of this provision to the revenue account.	Any security held by the council would rank after the lender's security.	The council is committed to cover any non-performance of the project, topping up any shortfall on the loan. Based on assessed bank rates this would be up to a maximum of £1.2m per annum.	The lender should charge a lower risk margin to reflect the guarantee over the funds offered by the council. This would entitle the council to receive payment equivalent to the reduction in the margin. In similar schemes this has been approximately 0.7% of the value held, and would equate to about £0.1m each year for the council.

<b>Subject:</b>	<b>New Historic Records Office &amp; Resource Centre</b>		
<b>Date of Meeting:</b>	<b>10 May 2012</b>		
<b>Report of:</b>	<b>Strategic Director Communities</b>		
<b>Lead Cabinet Member</b>	<b>Cabinet Member for Culture, Recreation &amp; Tourism</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Janita Bagshawe</b>	<b>Tel: 29-2840</b>
		<b>Mark Jago</b>	<b>29-1106</b>
	<b>E-mail:</b>	<a href="mailto:janita.bagshawe@brighton-hove.gov.uk">janita.bagshawe@brighton-hove.gov.uk</a>	
		<a href="mailto:mark.jago@brighton-hove.gov.uk">mark.jago@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No. CAB29182</b>	
<b>Wards Affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report updates Members on the main advances since the April 2011 report to Cabinet and presents developments on the services that will be provided at the Keep.

**2. RECOMMENDATIONS:**

- 2.1 That Cabinet endorses the vision for The Keep as a state of the art historical resource service for the city and the county of East Sussex. Representing the next generation of archive building it will bring together the archives and historical resources of East Sussex County Council (ESCC) and Brighton & Hove City Council (BHCC), currently held at the East Sussex Records Office (ESRO), BHCC's local history 2D (2 dimension, eg photographs) collections and resources from across the Royal Pavilion & Museums service (RPM) currently housed in a number of locations including the Brighton History Centre (BHC), and the Special Collections of the University of Sussex (UoS), including the internationally renowned Mass Observation Archive. The building will also include the library and headquarters of the Sussex Family History Group.
- 2.2 That Cabinet notes the project's continued development, most notably the excellent progress of construction works that began last October and which remains on programme, and the other main areas of activity as set out in the report.
- 2.3 That Cabinet notes the construction programme, which shows Practical Completion is due by May 2013, together with an outline of other key events as set out in Section 3.22 of this report.
- 2.4 That Cabinet notes the new membership of the joint Project Board, together with revised project management arrangements that were agreed following the partners' review of partnership working arrangements.

- 2.5 That Cabinet notes the partners' progress in advancing the various legal and partnership agreements and that it is hoped that these will be concluded in June 2012.
- 2.6 That Cabinet note the officer work in support of preparing the long-term governance agreement (for example around acquisition policies), the final form of which will return to a future Committee meeting for approval in good time to enable all partners to enter into it prior to practical completion of the building.
- 2.7 That Cabinet agrees the recommendation that the services provided by the Brighton History Centre will be provided through The Keep and that the Council maintains a single city centre research facility at Jubilee Library as a hub of the Keep in addition to those provided at other city wide libraries.
- 2.8 That Cabinet notes that 2D local history resources housed at the Brighton History Centre and housed across RPM will be moved to the Keep to ensure their long-term preservation and prevent their deterioration. In addition, some other material will move to the Keep in the medium-term to ensure that it is stored in recommended environmental conditions to conserve the material and minimise future deterioration.
- 2.9 That Cabinet notes community engagement and learning projects which are being developed around the Keep's resources in the city.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

Construction Progress

- 3.1 Site preparation works started in August 2011, with construction works having commenced in October 2011. Building works continue to go very well and are progressing broadly in line with programme. The 'Repository Block' (3 storey storage area) is complete to roof slab level with formwork for the roof in progress. The 'People Block' (2 storey public and staff area) ground floor slab is complete as well as the columns to the 2 storey section. Construction of the self contained 'Energy Centre' is underway and is ahead of the contract programme. The large external frieze panels that depict a range of local scenes have been installed and good progress has been made towards discharge of planning conditions.
- 3.2 Now approximately 39 weeks into the 93 week programme, the project remains on schedule for completion of building works by January 2013, with Practical Completion due in May 2013.

Partnership Collaboration Agreement

- 3.3 The Partnership Collaboration Agreement (PCA) sets out partnership responsibilities, financial commitments, and working arrangements, and will cover the project through to Practical Completion ie completion of construction works. It also contains Heads of Terms for future management and governance arrangements relating to the completed facility. At the time of the previous report to Cabinet it had been anticipated that all three partners would sign up to the PCA. Having reviewed the position with its



- lawyers, UoS advised of its preference for an Agreement for Lease (AfL) and draft Lease with ESCC, rather than enter the tripartite PCA.
- 3.4 This change in approach has required preparation of new documents and revisions to the existing PCA, and this has impacted the planned timetable for completion.
- 3.5 As part of the April 2011 report, Cabinet delegated authority to enter into the PCA to the Strategic Director Communities and the Head of Law in consultation with the Cabinet Member for Culture, Recreation & Tourism. With a different approach then agreed in order to accommodate UoS requirements, the arrangements for delegated authority have had to also capture the AfL and Lease in order to ensure that the full suite of documents remains consistent with the original objectives of the PCA as supported by Cabinet.
- 3.6 Negotiations on the legal arrangements have continued and it is hoped that they will be completed within the next 2 months. Final documents are due to be considered by the Project Board in June and, subject to support, will then be referred to Partners for formal approval and completion.

#### Project Board Arrangements

- 3.7 Following a review of membership and reporting arrangements, the partners have agreed a number of revisions to better reflect the project's current status, working arrangements and partner representation.
- 3.8 Under the previous arrangements, ESCC had 5 representatives (1 Elected Member and 4 officers), BHCC 2 representatives (1 Elected Member and 1 officer) and UoS 1 representative. As the project is now at an advanced stage, and with the local authority partners having already secured formal approval for their financial contributions, it has been agreed that Elected Member involvement on the Project Board is no longer necessary. It has also been agreed that the number of city council representatives will increase to 4, with ESCC's and UoS remaining at 5 and 1 respectively. The city council will be represented by David Murray, (to be replaced by Charlie Stewart from September), Janita Bagshawe, Angela Dymott and Anne Silley.
- 3.9 The Project Board is supported by a Project Team, a wider officer group with responsibility for taking forward the more detailed working arrangements, preparation of reports and agreeing the business to be referred to the Project Board. Although the Project Team has been in existence for a number of years, it will now have an expanded role that requires all formal recommendations to the Project Board to firstly be agreed by the Project Team. In this way, although the Project Board will retain overall responsibility for strategic direction [eg financial arrangements (including allocation of contingency funding), performance management and monitoring, and development of the range of services to be operated from the completed facility] it will now have greater confidence in the preparatory work undertaken by the Project Team.

### The Keep Facilities

- 3.10 The Keep will bring together a range of resources and will provide first class facilities for local history and family history research for the city and county. There will be a range of facilities including:
- State of the art storage for archives and collections which will ensure the long term preservation of material.
  - Support for the study of family history and genealogy.
  - Support for the study of local history.
  - Public search rooms and group research areas – for anyone wanting to research and explore the collections.
  - Learning and multifunction rooms – for school classes, student groups and adult learners to engage in interactive and creative learning with archives. These rooms can also be opened out to host a wide range of community activities for up to 150 people.
  - Oral history recording room where personal recollections, memories or life stories, may be recorded which will build on existing sound archives to create an historical record for the future.
  - Staff facilities – including a conservation workshop and a digitisation suite. These will let staff preserve and provide hands-on and online access to the collections through The Keep and its hubs.
  - Electronic preservation facilities – equipment and facilities to preserve electronic archives and digital media.
  - Café area – situated on the ground floor, visitors can buy, or bring their own, food and drink.
  - Public transport by train and bus from the city and county, car and bicycle parking.

### City Council's Current Family and Local History Services:

- 3.11 The city council currently directly manages local and family history services through Libraries, Brighton Museum and Art Gallery's Brighton History Centre and through a management agreement with the Archive Service at ESRO
- 3.12 Brighton History Centre provides similar services for the study of family and local history as planned for The Keep. Some regular Brighton History Centre visitors also use the county record office.
- 3.13 Libraries run activities that support local and family history interests and stock collections of books on Brighton, Hove, East & West Sussex subjects and towns, virtually all of which can be borrowed. Hove has a Local Studies reference collection in the Wolsey Room and good selection of books for loan on the upper floor. Community libraries have collections of local interest books and information packs and folders of photographs and newspaper cuttings relating to the history of their immediate area.
- 3.14 Approximately 20% of BHC users require access to computer based resources. Over 75% of BHC users use reference and secondary sources such as street directories which, particularly with digitisation, are becoming more widely accessed electronically. As part of the new Renaissance funding agreement there will be further digitisation of local history 2D

collections. The Keep will also be undertaking an active programme of digitisation as funding becomes available.

#### Proposals for City Council's future Family and Local History Services

- 3.15 To maximise the opportunities provided through the city's £5.6m investment in The Keep, and minimise costs to the city council's future revenue costs, it is recommended that the council provides its family and local history services through The Keep, incorporating the current services provided by Brighton History Centre, with libraries providing city centre and community based local and family history services and resources.
- 3.16 Local history material is currently stored across a number of the RPM sites as well as at the Brighton History Centre. This storage doesn't meet the environmental standards which enable the long term preservation of the 2D collections. Furthermore, public access to these collections is inadequate due to the locations of the stores (eg basements).
- 3.17 To maintain the existing facility at Brighton History Centre would mean lost opportunities for bringing collections together and cost an additional £70kpa in addition to the estimated annual revenue contribution of £323k for the Keep. Furthermore, to continue to house the collections in the Brighton History Centre and the other locations across the service will place them at risk of deterioration.
- 3.18 It is recognised that the location of The Keep is not welcomed by some Brighton History Centre users therefore additional access for resources will be provided through Jubilee Library with additional computer points and duplicated reference material. Costs associated with this will be minimal and should be contained within existing budgets.

#### Brighton and Hove City Council's Royal Pavilion and Museums Collections

- 3.19 To inform future governance arrangements for the Keep, the RPM is reviewing its collections policies with regard to local history 2D material to ensure that these dovetail with those of ESRO and UoS, and clarifying which organisation collects and manages which material. Traditionally, the destination of 2D local history collections has been inconsistent - acquired by museums, libraries and archives which has resulted in some duplication of collections. A recent review of the museum's 2D local history collections has identified some of the areas of duplication and other areas where museum collections and those held at ESRO together, offer a more complete picture of the city's history.
- 3.20 The space vacated by the Brighton History Centre would provide a significant opportunity for the development of additional gallery space, increased access and new exhibitions drawing on the significant currently stored collections of the RPM .
- 3.21 The Keep will be able to house 20 years of collections growth and has an adjacent area of land to enable the repository to be extended for additional storage after this. This means that some storage areas will be vacant when the building opens in 2013 and will only slowly fill. RPM plans to seize the

opportunity to improve the storage of some fragile collections (such as fine art works on paper) currently held on the Royal Pavilion Estate by housing them at The Keep in the medium-term (around ten years) to aid in their long term conservation.

- 3.22 All and any RPM material stored and accessed at The Keep, remain part of the city council's RPM collections.

Learning and Community Engagement

- 3.23 The Keep will provide a wide range of opportunities for local communities, who may not otherwise engage in cultural activities and work by BHCC and ESCC officers is already underway. An interactive event, exploring the local history of Moulsecoomb, is being planned and is to help generate community ideas for a Keep-related project that local people can become involved in. This local history project may include a bid to Heritage Lottery Fund (HLF).

Timetable

- 3.24 Project activities fall into two main areas; the construction programme which takes the project through to Practical Completion, and the longer-term operational, management and service activities that will commence post-completion. A summary of the key stages of development in both of the main areas of activity is set out below:

Event	Timescale
1. Start on site	August 2011
2. Turf Cutting Ceremony and start of building works	October 2011
3. Project Board to consider final legal arrangements, with referral to partners	June 2012
4. Partner approval of completion of legal agreements	June / July 2012
5. Topping out ceremony	September 2012
6. Completion of Long Term Management Agreement for consideration of Project Board	December 2012
7. Long Term Management Agreement considered by BHCC Committee	Spring 2013
8. Construction work completed	January 2013
9. Acclimatisation and Proving Period	February – May 2013
10. Practical Completion	May 2013
11. Partners move in	June – October 2013
12. Open to the public	November 2013

**4. CONSULTATION**

- 4.1 There has been consultation on the need for a new archive building since 2002. There have been feasibility studies, an Audience Development and Access Plan, Activity Plan and Business Plan and each of these has involved consultation with potential partners, stakeholders, users, community groups, disability groups and local residents.

- 4.2 Between April and May 2010 a series of public consultation events were held. This included a one day exhibition at Jubilee Library, individual exhibition stands and information leaflets and questionnaires were made available across the city and an on-line questionnaire was hosted on the ESCC web-site with links to BHCC consultation portal. ESCC has also provided briefings to local Ward Members and local community groups.
- 4.3 Consultation through the planning application process took place between October and December 2010. In February 2011 a workshop with local access and disability groups was held. The participants will continue to be engaged as part of a long-term Access User Group.
- 4.4 Further consultation is planned through the next phases as greater detail of the internal lay outs and services are developed.
- 4.5 Consultation has been carried out with users of Brighton History Centre both through surveys and user group meetings. Representatives of Brighton History Centre have been invited to Keep consultation meetings. A meeting with the Friends of Brighton History Centre took place to hear concerns about the future of the centre and to present information on The Keep and transport plans.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The estimated council contribution to the running costs of The Keep is £323kpa from 2013/14. The costs of services at The Keep currently provided by the Brighton History Centre can be contained within the council contribution. There are not anticipated to be any material costs associated with the proposed single research facility at Jubilee Library.

Running the Brighton History Centre as a separate facility currently costs an additional estimated £70kpa and would not represent good value for money, as services would be duplicated.

The costs of storage of other RPM materials at The Keep have not yet been assessed but are expected to be contained within the RPM budget.

- 5.2 Final agreement to the contribution to the annual running costs will be brought back to the relevant Council Committee. The business plan for the running costs and income expected to be derived from the facility is currently being refreshed.

*Finance Officer Consulted: Anne Silley*

*Date: 23/04/12*

### Legal Implications:

- 5.3 As the lead partner, ESCC agreed to accept the risk in letting the building contract in advance of completion of the suite of documents. The relatively late introduction of revised arrangements has served to complicate matters, causing delay and uncertainty, but it is hoped that these can be concluded

to all partners' satisfaction shortly and thus enable the project to proceed on a firmer footing.

*Lawyer Consulted: Bob Bruce, Principal Solicitor*

*Date: 23/04/12*

Equalities Implications:

5.4 Development of The Keep provides the opportunity to greatly improve access to the archives and historic records for learners, researchers and the public. The current public record office at The Maltings does not comply with DDA standards; this purpose-built facility will comply with DDA. To assist with this process, the partners appointed an experienced Access Consultant to review the building designs as they developed. An Access Workshop, facilitated by the Access Consultant, was held on 3 February 2011 with local access and disability groups. This provided helpful feedback and suggested areas for consideration as part of the scheme development.

- 5.5 In addition, the Activity Plan has focused on all of the activities associated with The Keep, including audience development and participation, taking into account the needs of differing audiences.

Sustainability Implications:

- 5.6 The current storage of the archives does not conform to The National Archive (TNA) standards for archives, which means that the long-term conservation and sustainability of these collections is at risk. Purpose-built accommodation will ensure the long-term care of the archives and historic records. The current storage for works on paper, photographs and sound recordings in BHCC's RPM collections is below preferred standard.
- 5.7 The Keep is on target to be the most sustainable archive building of its type in the country. The partnership has from the outset been clear in its desire to achieve a BREEAM 'excellent' rating and the project currently has a projected overall score of 78.74%, which provides a good deal of confidence that the project is capable of achieving BREEAM 'excellent'.
- 5.8 The location of The Keep development will be further enhanced by the city council's proposals for Lewes Road, which will include the provision of bus priority and cycle infrastructure improvements meaning that local residents wishing to access the facilities will be able to do so using sustainable forms of travel, as opposed to driving. The proposals for Lewes Road are currently subject to a wide scale consultation exercise and subject to the results, it is anticipated that work will commence in January 2013.

Crime & Disorder Implications:

- 5.9 There are no direct implications for the prevention of crime and disorder contained within this report.

Risk & Opportunity Management Implications:

- 5.10 Prior to start on site, a capital project risk register and a separate programme risk register were maintained. These have now been combined into a single Construction Phase Risk Register. The register is subject to regular review and is presented to the Project Team and Project Board at each meeting and updated accordingly.

Corporate / Citywide Implications

- 5.11 The Keep project at Woollards Field is one of 4 significant projects to be delivered in the Falmer area, the others being the Community Stadium, Falmer Academy, and the SEEDA funded infrastructure works. Co-ordination between the respective projects has succeeded in ensuring effective co-ordination of site activities. These arrangements are further aided by the fact that Kier is the appointed contractor for both Falmer Academy and The Keep. The project will provide improved services to B&H residents who will no longer need to travel to Lewes where there is sub-standard facility.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The city council has considered alternative options at each stage of the project's development and as part of every previous report to Cabinet and its predecessor bodies. It has previously been acknowledged that to do nothing is not an option, given that historic material would continue to deteriorate and lead to loss of public records and historically important archives.
- 6.2 On each occasion, it has been concluded that the partnership approach offers the most cost effective solution and that it is consistent with the government's National Archives Policy, where the focus is on delivering fewer, bigger and better facilities.
- 6.3 As set out in the July 2010 report to Cabinet, 'The Keep' is considered to be the best and most cost effective solution for the city council to the problem of meeting the council's responsibilities for managing the historical records and will ensure that both legal obligations and TNA standards are met. For the council to consider going it alone could potentially result in two facilities within the city, a duplication of services which would create a negative perception around value for money and would in the future lead to public confusion and competition for grant funding for archive projects within the city.
- 6.4 The option to maintain the Brighton History Centre has been considered. With the considerable investment of the city council into the Keep and to avoid increased revenue costs, duplication of effort and services, the recommendation is to provide a single service through the Keep.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The Keep will address the acknowledged problems of long-term storage and preservation of the city's historic records, archives and relevant

museum collections. The current facilities for archives are inadequate and unsustainable, even in the short to medium-term. Failure to address the problems could result in The National Archives removing the licence to hold public records and seek to place the collections elsewhere. The new centre will overcome these problems. It will represent the next generation of archive buildings in the UK and provide the opportunity to address some of the issues that face the city's museum collections which are currently housed in inadequate stores.

- 7.2 The Keep provides the opportunity to provide a state of the art resource centre for family and local history research in a single location within the city. The move of the Brighton History Centre to The Keep will maximise the learning and research opportunities of bringing collections together into a single facility. It will also ensure the long term preservation of historical material in appropriate environmental conditions.

## **SUPPORTING DOCUMENTATION**

### **Documents In Members' Rooms**

None

### **Background Documents**

1. Report to Cabinet – 7 April 2011
2. Report to Cabinet – 22 July 2010
3. Report to Cabinet - 17 September 2009
4. Report to Policy & Resources Committee - 3 April 2008
5. Reports to Culture, Recreation & Tourism – 13 June & 12 September 2007
6. Report to Culture & Tourism Sub-Committee – 28 March 2007



<b>Subject:</b>	<b>Corporate Procurement of Energy – Half Hourly (Over 100kW) Electricity and Gas Contracts Commencing October 2012</b>		
<b>Date of Meeting:</b>	<b>10 May 2012</b>		
<b>Report of:</b>	<b>Strategic Director, Resources</b>		
<b>Lead Cabinet Member:</b>	<b>Cabinet Member for Finance &amp; Central Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Angela Dymott</b>	<b>Tel: 29-1450</b>
		<b>Glynnan Barham</b>	<b>29-4591</b>
	<b>Email:</b>	<b>angela.dymott@brighton-hove.gov.uk</b>	
		<b>glynnan.barham@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No:</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To seek Cabinet approval for the re-procurement and supply of the Council's half hourly (over 100kw) electricity and gas as the current contracts expire on the 30 September 2012. The half hourly (over 100kw) electricity supply contract will be delivered from 100% renewable sources in line with the Council's sustainability and use of resources commitments. This report invites Cabinet to take two decisions in relation to the council's electricity and gas supply: firstly to appoint a specialist body to purchase these commodities on behalf of the Council, and secondly for the Council to enter into the necessary agreements for the actual supply.
- 1.2 To inform Cabinet of the urgency decision taken by the Strategic Director, Resources in consultation with the Cabinet Member for Finance & Central Services to appoint the specialist body to purchase these commodities for the first 12 months of the contract commencing 1 October 2012, in order to secure the financial benefits of the flexible contract terms.

**2. RECOMMENDATIONS:**

That Cabinet:

- 2.1 Note the details of the urgency decision taken by the Strategic Director, Resources on 24 April 2012 in consultation with the Cabinet Member for Finance & Central Services to:
- appoint Kent County Council's Energy Buying Group (LASER) to procure the supply of the Council's half hourly (over 100kW) electricity (from 100% renewable sources) and gas through its flexible framework agreement for the period 1 October 2012 to 30 September 2013.

- enter into an agreement with LASER, NPower Limited and Total Gas & Power Limited for the supply of half hourly (over 100kW) electricity (from 100% renewable sources) and gas to the Council for the period 1 October 2012 to 30 September 2013.
- 2.2 Appoints LASER to procure the supply of the Council's half hourly (over 100kw) electricity (from 100% renewable sources) and gas through its flexible framework agreement for the remaining three year period 1 October 2013 to 30 September 2016.
- 2.3 Grants authority to the Strategic Director, Resources to enter into agreements with LASER, NPower Limited and Total Gas & Power Limited for the supply of half hourly (over 100Kw) electricity (from 100% renewable sources) and gas to the Council for the remaining three year period 1 October 2013 to 30 September 2016.
- 2.4 Agrees a waiver of Contract Standing Order 12.6 to enable the contract to be signed as a simple contract provided that it is in a form agreed by the Head of Law.

### 3. RELEVANT BACKGROUND INFORMATION:

- 3.1 Historically, Brighton & Hove City Council has procured its gas and 100% renewable electricity supplies direct from the utility companies. However, in 2010 the Council moved to procure its energy through a central purchasing body ('CPB') and this has reduced the risk to the Council of the fluctuations in price within the utility market. This has been achieved through increased flexibility in purchasing as well as being part of a large bulk buying consortium.
- 3.2 The Council has three main utility contracts: one for gas supplies and two for electricity that cover the bulk of the Council's property portfolio. The electricity provision is split into two contract groups, the half hourly (over 100kw) contract relating to large sites and the sub 100kw contract relating to smaller sites. **Table 1** below identifies the duration, value and details of each contract.

**Table 1**

Utility	Contract Period	Value	Supplier	Example sites
Gas	01.10.2010 to 30.09.2012	£2.6m per annum	British Gas	All sites requiring Gas including schools and housing
Electricity over 100kw	01.10.2010 to 30.09.2012	£1m per annum	NPower	33 large sites including Kings House, Hove and Brighton Town Halls, Brighton Centre, King Alfred and 7 secondary schools
Electricity Sub 100kW	01.04.2010 to 31.03.2013	£2m per annum	Scottish & Southern	1330 sites - The smaller sites, majority of schools, admin buildings, libraries, sports pavilions and some housing sites

- 3.3 This report relates to the half hourly (over 100kw) electricity and gas supply contracts that end on the 30 September 2012. The electricity half hourly (over 100kw) contract covers 33 large sites, whereas the gas contract relates to all sites. In total the current value of both contracts is approximately £3.6m per annum. The electricity contract is supplied from 100% renewable sources.
- 3.4 To continue to mitigate the risk of increasing energy prices it is proposed that the Council continues to purchase its energy through a CPB that uses a flexible purchasing process allowing utilities to be bought over a period of time and in advance. The benefits of this approach are that any drops in market prices can be taken advantage of, therefore making further savings or reducing the impact of price rises and keeping overall costs lower. LASER have estimated that savings of 7% have been made over the course of the existing framework by clients opting for the flexible as opposed to the fixed contract terms. For the Council this would equate to a saving of £250,000 per annum.

### **Benchmarking Exercise**

- 3.5 The Property & Design team together with Corporate Procurement have undertaken a 'Request for Information' (RFI) process in order to obtain information about various CPB framework agreements currently available in the market which cover the supply of electricity (half hourly over 100kw) and gas for contracting authorities. Three CPBs responded to the RFI and a benchmarking exercise has been undertaken in order to evaluate the current market and to identify the most suitable purchasing framework. A list of the RFI criteria that each CPB was required to respond to is attached as **Appendix A**. A key criteria which carried a pass / fail score was the supply of 100% renewable / green electricity for the half hourly electricity. The three CPBs who submitted a response to the RFI were ESPO, The Energy Consortium (TEC) and Kent County Council through its Energy Buying Group LASER.
- 3.6 A traditional tender exercise would evaluate the tenders received against a range of quality criteria and price. However, obtaining prices from the CPBs is not usually possible as the companies are reluctant to submit indicative prices at this stage due to the way the continually fluctuating energy market operates. During the current exercise, none of the CPBs were willing to provide costs for the time the new contracts would start. Only one CPB, LASER, provided some figures but these were existing prices and could not be used as a forward indication. It is for this reason that the quality criteria become key in differentiating and evaluating the different CPBs by assessing their respective delivery and supporting activities.
- 3.7 In order to demonstrate these delivery and supporting activities in more detail, **Table 2** illustrates the level of service that could be expected from the CPBs that responded to the Council's RFI. All three CPBs confirmed that their framework agreements provide for the necessary 100% renewable energy with respect to the supply of electricity (half hourly over 100kw) as specified by the Council. As a result, each CPB met the Council's key criteria.

**Table 2**

Criteria		ESPO	LASER	TEC
1	Offer 100% renewables for electricity?	Yes	Yes	Yes
2	Can Council specify length of contract	No	No	Yes
3	CPB's purchased energy values	£130m	£470m	£184m
4	Flexible Purchasing?	Yes	Yes	Yes
5	When is the flexible supply bought?	18 months in advance	6 months in advance	18 months variable
6	Buyer input required?	No	No	Yes
7	Take or Pay implemented?	Yes - but tolerance allowed	Yes - but against whole portfolio	Yes
8	If yes to 7 – what are the tolerances?	+/- 10%	N/A	None specified
9	Market forecasting reports	Quarterly	Quarterly Plus six monthly members meeting	Daily via Utiylix
10	Can provide ad hoc reports	Yes	Yes	Not specified
11	Is bill validation included?	Only on gas account	Yes	Yes at extra cost
12	If bill validation is opted out, does this affect service	No	Yes	No
13	Is bureau service available	No	At extra cost	Partial
14	Bill turnaround	48 hours	24 hours	5 Days
15	Will our choice of data collector interfere with service?	No – but utility company will specify	No – but utility company will specify	No – but they will not use data

3.8 From the information provided, each of the CPBs was considered to meet our minimum requirements. However, the information provided indicated that the risk levels to the Council would be less using LASER for the following reasons:

- The size of the current LASER framework agreements are £470m compared with the £130m and £184m of the other two CPBs. The purchasing power of Laser is therefore significantly stronger than its competition, which should offer a greater potential for the lowest unit rates and improved protection against future price rises.
- Although all CPBs levy a take or pay scheme, with LASER it is against the whole portfolio, rather than against each individual client. Therefore, LASER takes the risk and any savings/reductions achieved by the Council will not be penalised by any fines from the utility companies.
- LASER have the quickest turn around of energy bills leading to improved energy monitoring for the Council.

- LASER are our incumbent CPB for the supply of the Council's electricity (half hourly over 100kw) and gas which will avoid the need to identify additional staff resources to manage a transfer from CPB and its suppliers to others. The process will in effect simply be a continuation of service from 1 October 2012.

Following evaluation, the recommendation of the evaluation team is therefore to use LASER as the CPB for the procurement of the Council's electricity (half hourly over 100kw) and gas supplies.

- 3.9 LASER Energy Buying Group is part of Kent County Council's commercial services division specialising in the supply of gas and electricity to the public sector. LASER has recently undertaken a tender exercise to appoint electricity and gas suppliers for the period 1 October 2012 to 30 September 2016 onto its national flexible framework agreements. The successful tenderers were NPower Limited (for electricity) and Total Gas & Power Limited (for Gas).

Under the frameworks, LASER acts as the CPB buying electricity and gas on behalf of participating contracting authorities such as the Council. The Council will need to sign up to service level agreements with LASER for the procurement and management of the supplies. The Council will also need to sign up to two tripartite agreements: one with LASER and NPower Limited for the supply of half hourly (over 100Kw) electricity to the Council, and the other with LASER and Total Gas & Power Limited for the supply of gas to the Council.

### **Savings**

- 3.10 As a result of the CPBs not being willing to send through any pence per unit rates and / or standing charge costs for the notional buildings provided in the RFI, it is not possible to calculate actual charges and saving comparisons. However, we do know that by opting for a similar flexible contract arrangement to the one that is currently employed, the impact from increases in charges can be minimised by employing a CPB arrangement.
- 3.11 The average price we currently pay using our existing utility supplier is 2.85 pence per kWh for gas and 10 pence per kWh for electricity. We are expecting under current market conditions a slight increase of approximately 5-10% for the cost of gas and electricity when the new contracts start. However, if we were to purchase directly from the utility companies we would be expecting a 10-15% increase in price.
- 3.12 It should be noted that the prices between now and the start of the new contracts can and will change, especially with problems affecting supply such as disruption in the Middle East and the ongoing economic and market conditions. Despite this and due to the benefits of procuring through a CPB, the price the Council will be able to obtain should still be lower than going direct to the utility companies.

## **4. URGENCY DECISION**

- 4.1 The Council was recently informed by LASER that in order to be placed on the flexible contract at the commencement of the new agreement on 1 October 2012, the Council would need to commit to their framework by 30 April 2012. In the absence of this commitment LASER would be unable to procure energy on our

behalf on flexible terms between May and the start of the contract in October 2012 with the result that the Council would be placed on a fixed contract for the first twelve months of the agreement.

- 4.2 The unit price payable on a fixed contract depends on the wholesale price applicable on the date of the contract and cannot therefore be predicted in advance. However, as stated in paragraph 3.4 above, historically a fixed contract has cost an average of 7% more than the equivalent flexible contract which equates to a potential additional cost of £250,000 to the Council.
- 4.3 The Strategic Director, Resources therefore consulted with the Cabinet Member for Finance & Central Services and took the decision under urgency powers to enter a commitment with LASER to procure energy on the Council's behalf for the first 12 months of the agreement to 30 September 2013 to enable the Council to secure the flexible contract terms.
- 4.4 Urgency powers were required as, due to the timescales of the CPB framework re-tender programme, information was not available for the Council to evaluate until March resulting in an inability to report to April Cabinet. However due to the need to commit to the LASER framework by 30 April it was not possible to seek approval from May Cabinet and still secure the flexible terms. Urgency powers were therefore used in order to secure the best value for the Council.

## **5. CONSULTATION**

- 5.1 As the new contracts will directly affect Council leasehold housing tenants, the Energy & Water Team have been liaising with Housing who are leading on the statutory notification required.
- 5.2 When carrying out the benchmarking exercise and for the purposes of the report, consultation was carried out with the three CPBs. In addition to this several key Council units were also consulted including Legal, Sustainability, Procurement and Financial. All budget holders will be advised of the new contracts and the new rates payable.

## **6. FINANCIAL AND OTHER IMPLICATIONS**

### Financial Implications:

- 6.1 The Council's annual cost of gas and half hourly (over 100kW) electricity is approximately £3.6m pa. It is anticipated that energy prices are to rise by up to 10% to 15% if purchased directly from energy companies whereas the rise associated with the current practice of purchasing through a Central Purchasing Body (CPB) is expected to be between 5% and 10% therefore offering a significant reduction in energy prices rises. Although the three main CPB's are unable to provide indications of price structures it is evident that the ability of CPB's to bulk purchase and the increased flexibility in purchasing reduces the risk of future fluctuations in energy prices being passed through to the council.

The LASER company is able to operate a much larger contract value than the other two companies therefore cost reductions associated with these bulk purchases would be passed through to clients including the Council.

The Medium Term Financial Strategy includes pressure funding to cover increased energy costs above standard inflation for the general fund. Schools will meet energy costs through the devolved budgets whilst for the Housing Revenue Account (HRA) a large part of energy costs are recharged through tenants and leaseholders and this is assumed to be the case within the HRA long term business plan.

*Finance officer consulted: Rob Allen*

*Date: 27 March 2012*

Legal Implications:

- 6.2 Cabinet has the authority to agree the recommendations set out in paragraph 2 above. The preferred CPB identified operates frameworks which the Council would be able to use in order to try to maximise value for money. These frameworks have been lawfully procured in accordance with EU and UK rules relating to public procurement.
- 6.3 In accordance with Contract Standing Order (CSO) 12.6, it would be usual to seal the agreements recommended in paragraph 2.3 as deeds. However, Laser has informed the Council that Laser, NPower Limited and Total Gas & Power Limited are not willing to execute the agreements as deeds. Laser considers that the 12 year limitation period afforded to deeds is not necessary in this instance because the energy is consumed, charged and paid for in such a short space of time. The limitation period is the period of time within which a party to a contract must bring a claim. The Limitation Act 1980 allows actions for breach of contract to be brought within a period of six years under a simple contract and twelve years if the contract is executed as a deed. The legal risk of executing these agreements as simple contracts rather than deeds is considered acceptable. Therefore, should Cabinet decide to approve the recommendation set out at paragraph 2.3, the requirement under CSO 12.6 to give contracts with an estimated total value over £75,000 under the Common Seal of the Council needs to be waived.

*Lawyer consulted: Isabella Sidoli*

*Date: 24 April 2012*

Equalities Implications:

- 6.4 None

Sustainability Implications:

- 6.5 The electricity offer is for 100% renewable energy.

Crime & Disorder Implications:

- 6.6 None

Risk and Opportunity Management Implications:

- 6.7 If the council does not pursue the recommended procurement route there is a risk that efficiencies will not be maximised.

Public Health Implications:

- 6.8 There are no public health implications.

Corporate / Citywide Implications:

- 6.9 As contained in the body of the report, ensuring value for money for the Council's energy procurement.

**7. EVALUATION OF ALTERNATIVE OPTIONS**

- 7.1 Due to the imminent expiry of the Council's existing over 100kw electricity and gas contracts, the Council must put in place new arrangements to take effect from the expiry date. That step is not optional, but the Council does have a choice as to its CPB for gas and electricity, and it is this that has prompted the procurement exercise detailed in this report.

**8. REASONS FOR REPORT RECOMMENDATIONS**

- 8.1 This report seeks approval to re-procure the Council's half hourly (over 100kW) electricity and gas contracts that end on 30 September 2012. The report outlines alternative procurement and framework options and seeks approval to award new contracts to LASER and the utility suppliers under LASER's flexible framework agreement in order to obtain value for money within the volatile energy market.

**SUPPORTING DOCUMENTATION**

**Appendices:**

Appendix A: Request for Information (RFI) questions

**Documents In Members' Rooms**

None

**Background Documents**

None



# Request for Information (RFI)

*Half Hour (100k) Electricity and Gas*

Brighton & Hove City Council  
King's House, Grand Avenue, Hove BN3 2LS



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# 1. Introduction

The merger of Brighton and Hove Borough Councils, together with a number of functions previously run by East Sussex County Council within the two Borough's areas, resulted in the formation of Brighton & Hove Council in April 1997. It was granted City status in 2001, to become Brighton & Hove City Council ('the Council').

The Council is a 'unitary authority', which means that it is a single tier authority responsible for all local governance functions within the area. This includes functions such as social services, libraries, waste disposal and collection, highways, education, planning, licensing and much more.

Overseeing the running of these services and taking the lead in creating a vision for the future of Brighton & Hove is the Leader of the Council. The Leader is elected by the full Council and appoints a Cabinet of up to nine Members who will each take on special responsibility for an area designated to them by the Leader. The Leader and Cabinet are collectively known as the 'Executive'.

## 1.1 The Council's Corporate Priorities

The council's overall corporate priorities are:

- tackling inequality
- making Brighton & Hove Britain's greenest city
- engaging people who live and work in the city
- a responsible and empowering employer
- a council the city deserves

These priorities centre on sustainability and community involvement to make a real and lasting difference to local people's quality of life.

## 1.2 Locations

The main administrative council buildings are King's House and Hove Town Hall in Hove, and Brighton Town Hall, Bartholomew House and Priory House in central Brighton. There are also various satellite buildings located within the city boundaries.

## 1.3 Number of employees

The Council currently employs around 12,000 staff.

## **2. Objective**

The council wishes to procure its above Half Hour (100kW) electricity and gas requirements through a national framework.

In order for the council to assess which company best meets its needs when procuring utilities, as well as confirming the most suitable framework, we have set out a number of questions within this Request for Information (RFI).

## **3. Service Overview**

The selected company from the tender process will need to provide both electricity for the half hourly supply network and gas. The company will also be expected to provide regular feedback on the state of the market, as well as provide sufficient notification of any price changes at the end of each purchasing year, if applicable.

### **3.1 Scope of Contract**

The Council's current preferred procurement option for utility supplies is a flexible, purchase in advance, framework, which in turn provides a static price for the year forward.

## **4. Confidentiality**

All information provided by the Council in relation to this project should be treated as "commercial in confidence" by recipients.

Organisations shall use this Request for Information (RFI) and any other information furnished to them under this RFI solely for the purposes of responding to this RFI. All such documents and information organisations receive shall remain the property of the Council, shall be kept confidential and shall be returned to the Council on request. Reproduction of any part of this RFI is authorised only for the preparation of the response. Tenderers shall ensure that all such copies are destroyed when no longer required in connection with this RFI.

Organisations shall not issue any form of publicity or advertisement regarding this process without the prior written consent of the Council.

Tenderers shall not transfer, assign or distribute this RFI to any other company or person without the written permission from the Council's Corporate Procurement Department. A failure to gain the required authority will in such circumstances prevent the organisation being considered in this process.

## 5. Response Information

5.1 Responses to this request for information should be returned to the person indicated below by .

5.2 Responses can be returned via e-mail or hardcopy and should be marked 'Utilities - Request for Information'.

5.3 Any question relating to this process or the requirements should be made via writing to the person indicated below

### 5.4 Council Point of Contact

Name:	Guy Stapleford
Job Title:	Procurement Advisor
Address:	Kings House, Grand Avenue, Hove BN3 2LS
Telephone number:	01273 294059
Email:	guy.stapleford@brighton-hove.gov.uk

### 5.5 Freedom of information

5.5.1 In accordance with the obligations and duties placed upon public authorities by the Freedom of Information Act 2000 (the 'FoIA'), all information submitted to the Council may be disclosed in response to a request made pursuant to the FoIA.

5.5.2 In respect of any information submitted by a Tenderer that it considers to be commercially sensitive the Tenderer should set out the following information in an appendix with the completed tender response:

1. clearly identify such information as commercially sensitive;
2. explain the potential implications of disclosure of such information; and
3. provide an estimate of the period of time during which the Tenderer believes that such information will remain commercially sensitive.

5.5.3 Where a Tenderer identifies Information as commercially sensitive, the Council will endeavour to maintain confidentially. Tenderers should note, however, that, even where information is identified as commercially sensitive, the Council might be required to disclose such information in accordance with the FoIA. Accordingly the Council cannot guarantee that any information marked 'commercially sensitive' will not be disclosed.

## Schedule 1 – RFI Response

### Main Focus

- Q1 Are you able to offer 100% renewable energy on your frameworks?
- Q2 Is the client able to specify the length of contract it wishes to enter, or is the client locked in to the framework for a set period of time?
- Q3 Please outline your main sector focus e.g. Central Civil Government, Local Authorities, Higher Education etc.
- Q4 Please indicate the number of clients that access your energy frameworks.
- Q5 Please indicate the total value of the contracts entered into on behalf of your clients.

### Services Provided

- Q6 Do your frameworks offer Flexible purchasing? yes/no please provide details
- Q7 Do your frameworks offer Purchase on Demand and/or Purchase in Advance?
- Q8 Do your frameworks offer Trigger points? yes/no please provide details
- Q9 Do your frameworks require Buying and selling input? yes/no please provide details
- Q10 Do your frameworks include Take or Pay? yes/no please provide details

### Additional Support

- Q11 Please provide details of the market intelligence reporting available as part of the framework indicating what is reported on and how often and in what format it is supplied. Additionally please provide example reports.
- Q12 Please provide details of your account management function indicating the resources available, whether they are dedicated to a particular client and if so the likely number of clients managed by one account manager.
- Q13 Please provide details of any CRC Allowance trading/purchasing/selling that is offered by your organisation

### Additional Services

- Q14 Is a bill validation process offered and if so
- Q14.1 What is the cost of the bill validation process per meter for:
- a) an AMR meter
  - b) a non AMR meter

Q14.2 What criteria do you use as part of the bill validation process

Q14.3 What is the turnaround time per bill

Q15 Are you able to provide a bureau service and if so

Q15.1 What energy management options can you offer as part of a bureau service?

Q16 If Bill Validation and Bureau services are not desired, do they still form part of the main service and cannot therefore be opted out from?

Q17 If it is requirement of your framework that AMRs are installed, would there be an issue if the council specified which data collector it wanted to use in order to support its AMR programme?

Q18 Please provide details of how you work in partnership with your clients and how this can offer further value for money.

Q19 Please provide details of any additional services which may be relevant or of interest.

### **Innovation & Value for money**

Q20 Please provide details of any innovation your organisation offers in relation to the frameworks

Q21 Please outline the approach to continuous improvement relating to these contracts

Q22 Please outline how value for money will be achieved giving savings figures highlighting any assumptions made

### **Priced Example**

Q23 Please provide PPU costs for the notional sites provided in Schedule 1, Appendix A based on the level of consumption illustrated.

Signed	
Name	
Position	
For and behalf of	
Date	





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