

BRIGHTON & HOVE CITY COUNCIL
PLANNING, EMPLOYMENT, ECONOMY & REGENERATION CABINET MEMBER
MEETING

4.00PM 3 NOVEMBER 2011

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Kennedy (Cabinet Member)

Also in attendance: Councillors Morgan (Opposition Spokesperson) and C Theobald (Opposition Spokesperson)

Other Members present: Councillors MacCafferty (Green Party)

PART ONE

41. PROCEDURAL BUSINESS

41(a) Declarations of Interests

41a.1 Councillor C Theobald declared a personal, but non-prejudicial, interest in Item 56, a report of the Strategic Director, Place concerning updated background studies for the Local Development Framework City Wide Plan, as her son was an Associate Director at CBRE who had conducted the retail study.

41(b) Exclusion of Press and Public

41b.1 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member 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 business to be transacted or the nature of the proceedings, that if members of the press and 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(I) of the Act).

41b.2 **RESOLVED** - That the press and public be excluded from the meeting during consideration of Item 59 onwards.

42. MINUTES OF THE PREVIOUS MEETING

42.1 **RESOLVED** – That the minutes of meeting held on 15 September 2011 were approved as a correct record, subject to the following amendments:

- (i) the insertion of the words '**reports predicting**' before 'changes' at paragraph 30.2;
- (ii) the insertion of a reference to the successful Local Sustainable Transport Fund bid being submitted under the previous Administration at Item 35.

43. CABINET MEMBER'S COMMUNICATIONS

- 43.1 The Cabinet Member reported that the South East Royal Town Planning Institute Awards would take place in the city on 23 November 2011 and that the council had been nominated in one of the categories.
- 43.2 The Cabinet Member advised that a council initiative called 'Dressed for Success' had been launched to support around 40 independent retailers during the difficult trading conditions, providing companies with access to 121 advice in their premises on how to dress their shop windows to increase custom. There would be a campaign to highlight the shop front transformations and the public would be encouraged to vote for their favourite displays, culminating in an award ceremony in January. The initiative had already proved very popular; there was a waiting list and more training sessions were being negotiated. More information would be available on the council's website later in the month.
- 43.3 The Chair provided an update on the new City Plan, which was being drafted to take forward the work on the City's Core Strategy and provide the framework for future development in Brighton and Hove up to the year 2030. Consultation on a full version of the Plan would take place in early 2012 and consultation on policy options papers for the following four key areas was already underway: (1) housing targets/ delivery, (2) Park and Ride, (3) Employment, and (4) Student Housing. Stakeholder events had also been arranged as part of the consultation and those that had already taken place were well attended and presentations by officers well received, provoking encouragement to comment.
- 43.4 The Chair provided an update on the Draft East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Core Strategy), which was currently out for consultation. A stakeholder workshop would take place as part of the consultation to discuss the approach to providing for new built waste recovery facilities. Consultation responses would be considered and a final version of the Plan would be considered by Members in January, followed by a six-week consultation on the soundness of the Plan prior to submission to the Government. The intention was to adopt the final Plan in late 2012 or early 2013.

44. ITEMS RESERVED FOR DISCUSSION

- 44.1 **RESOLVED** – That all items be reserved for discussion.

45. PETITIONS

- 45.1 There were none.

46. PUBLIC QUESTIONS

46.1 There were none.

47. DEPUTATIONS

47.1 There were none.

48. LETTERS FROM COUNCILLORS

48.1 There were none.

49. WRITTEN QUESTIONS FROM COUNCILLORS

49.1 There were none.

50. NOTICES OF MOTIONS

50.1 There were none.

51. CITY EMPLOYMENT & SKILLS PLAN & ACTION PLAN 2011-14

51.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the City Employment & Skills Plan (CESP) & Action Plan 2011-14.

51.2 The Cabinet Member welcomed Phil Frier, Principal of City College and Chair of the City Employment & Skills Steering Group (CESSG) to the meeting to give a presentation on the CESP (Appendix 1).

51.3 Mr Frier explained that the purpose of the CESP was about enabling people to obtain the skills to be successful in the labour market and providing employers with the skills they required to develop their workforce. He highlighted key priorities focused upon job creation and better preparing local residents to apply for and secure the jobs that were created, as well as the importance of promoting the city's employment and skills needs to internal and external partners. He explained the three priorities for action: (1) apprenticeships/internships, including the launch of a one-stop-shop for employers and jobseekers; (2) Eco Tech Industries Development, making use of the Wired Sussex Model; (3) supporting the creation of graduate jobs to ensure jobs created were at the right level for jobseekers.

Mr Frier thanked the council for its support for the CESP. He stated that it was an ambitious plan that would take time, but that the joined up approach it provided was offered the necessary framework for moving forward.

51.4 Councillor Morgan welcomed the CESP and advised that he had attended the successful launch at the Amex Stadium. He agreed with the focus on creating graduate jobs and advised of reports predicting that public sector cuts would have a significant impact of small and medium-sized enterprises (SMEs). He noted that the announcement from the Government about reduced Feed In Tariffs (FIT) was bad news for Eco Tech industries.

- 51.5 Councillor C Theobald also welcomed the CESP and stated that limited progress on the city's major projects had prevented jobs being created. She requested more information on the role of the Local Enterprise Partnership (LEP) in the CESP.
- 51.6 Mr Frier agreed that SMEs would experience specific problems and that the focus would be on helping them to access subsidised training and supported apprenticeships. He advised that the link between the CESP and the LEP was very important; work of the CESSG would operate within schemes set up by the LEP and the joined up approach would promote entrepreneurialism.
- 51.7 The Cabinet Member explained that Section 106 provisions required large developments to use a significant number of local workers and that this would be seen on upcoming developments. She welcomed the launch of the one-stop shop for apprenticeships and thanked Mr Frier for attending and giving the presentation.
- 51.8 The Lawyer to the meeting explained that the recommendations would be amended to reflect the fact the CESP was part of the council's Policy Framework and therefore required Overview & Scrutiny input and full Council endorsement (see 51.9(2) below).
- 51.9 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:
- (1) That the Cabinet Member for Planning, Employment, Economy & Regeneration notes the content of the report and endorses the City Employment & Skills Plan 2011-14 and its priorities and action plan.
 - (2) That the City Employment & Skills Plan 2011-14, as a component of the council's Policy Framework, be reported to the Culture, Tourism & Enterprise Overview & Scrutiny Committee for information, and referred to full Council for endorsement.

52. APPLICATION FOR THE INTERREG IVA CALLED 'SUPPORTING YOUNG AND UNEMPLOYED PEOPLE IN PORT CITIES'

- 52.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the council's Interreg 1Va 'Supporting Young and Unemployed people in Port Cities' cross-border funded project application.
- 52.2 The Cabinet Member advised that the project aimed to encourage closer working between employers and young people through work experience and facilitated information sessions and with learning institutions such as City College and Northbrook College who would be developing a customised curriculum offer. If successful the three-year project would go live in January and work on the dedicated training centre on Shoreham Port would commence.
- 52.3 The Economic Development Manager explained that the purpose of the project was to learn more about the jobs available in ports and raise awareness amongst young people of the opportunities. The council was working jointly with West Sussex County Council (WSSCC) on the bid and, as the funding was oversubscribed, discussions were taking place to determine priorities for action should the bid not be successful.

- 52.4 The Cabinet Member stated that it was encouraging to know that steps would be taken to take the work forward if the bid was not successful. She welcomed the focus on an employment-led approach to the Shoreham Harbour area.
- 52.5 In response to a question from Councillor Morgan, the Economic Development Manager advised that using references to 'port-related' would give the project scope to use the Shoreham Harbour Regeneration area, which was a wider area than just the Harbour on its own.
- 52.6 In response to a question from Councillor C Theobald regarding the council's financial contribution to the project, the Economic Development Manager explained that there was no direct cost and that staff time to oversee it was valued at €43,960.50 over the life of the project, and that the council would get this money back. She advised that WSCC had agreed to provide a €50,000 in addition to staff time.
- 52.7 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:
- (1) That the Cabinet Member for Planning, Employment, Economy & Regeneration endorses the proposed city councils continuing participation in the Interreg 1Va 'Supporting Young and Unemployed people in Port Cities' application.
 - (2) That the Strategic Director, Place be given delegated authority to sign the final project agreement, should the application be successful.

53. EMPLOYMENT UPDATE

- 53.1 The Cabinet Member considered an update from the Economic Development Manager concerning employment in Brighton & Hove.
- 53.2 The Economic Development Manager gave a presentation concerning structural changes in the labour market (Appendix 2) to accompany a paper that had been circulated entitled 'The Hourglass and the Escalator' (Appendix 3). She explained that Brighton & Hove had weathered the recession relatively well, but that the city had experienced a decline in middle income occupations, which needed to be addressed to enable career progression and encourage social mobility.
- 53.3 Councillor Morgan urged for the focus to shift to social enterprises and co-operative model organisations in order to fill the labour gap in the city because they would not be susceptible to the same issues as other private employers.
- 53.4 The Cabinet Member agreed that alternative business models should be encouraged. She noted that the number of women in high income occupations had increased in the city, and this did not reflect the national trend.
- 53.5 Councillor C Theobald welcomed the increased number of women in high earning jobs and noted that those in middle income occupations were often the first to lose out when the labour market was under pressure.

53.6 The Cabinet Member stated that the CESP would help to create jobs to fill in the gap in middle income occupations.

53.7 **RESOLVED** – That the update be noted.

54. LOCALISM BILL UPDATE

54.1 The Cabinet Member considered an update from the Head of Planning Strategy concerning the latest position with regard to the Localism Bill.

54.2 The Head of Planning Strategy reported that the Bill had been returned to the House of Commons for consideration of amendments from the House of Lords and that Royal Assent in November remained the intention. He advised that the general power to trigger a referendum had been withdrawn, but that referendums on Neighbourhood Plans (NPs) remained, and that both residents and business-led Neighbourhood Forums would have the same rights. However NPs would not be able to focus solely on promoting business.

He also advised that amendments to the proposed National Planning Policy Framework (NPPF) were expected as the Government had received around 14,000 responses to the consultation identifying three key areas of concern: (1) the definition of “sustainable development”, (2) the government’s stance on the “brownfield first” policy, and (3) the transitional arrangements. He stated that the Government intended the NPPF to come into force on the 31 March 2012, but there remained significant uncertainty around what the final version would look like.

54.3 The Cabinet Member noted the twin-track progress of the Localism Bill and NPPF and stated that the House of Lords had made some sensible amendments. She was sceptical about the possibility of businesses leading on neighbourhood planning.

54.4 Councillor Morgan requested more information on the timetable for implementation of the NPPF. He asked whether areas had been identified for Neighbourhood Councils (NCs) and what impact there would be on equalities for areas that would not have an NC.

54.5 The Cabinet Member advised that work on NCs was underway, but that and that the city would be mapped to prevent groups from being excluded. She advised that she would ask the Cabinet Member for Communities, Equalities & Public Protection to provide a more detailed written response.

54.6 The Lawyer to the meeting explained that the message from Government in relation to the weight of the NPPF was not entirely aligned to the position in law; it was lawful to consider the NPPF as a material planning consideration, but that existing Planning Policy Statements (PPSs) held more weight and a current Local Plan would also take precedence prior to enactment.

54.7 In response to a question from Councillor Morgan regarding the council’s position in light of the withdrawal of the Core Strategy, the Head of Planning & Public Protection confirmed that the council was covered due to the saved Local Plan and emerging policies.

- 54.8 The Cabinet Member acknowledged the confusion regarding the NPPF and stated that every effort was being made to move forward on the City Plan with pace in order to provide some much-needed certainty.
- 54.9 **RESOLVED** – That the update be noted.
- 55. GOVERNMENT CONSULTATION ON PROPOSED REPLACEMENT PLANNING GUIDANCE FOR PLANNING FOR GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE**
- 55.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the council's response to the Government consultation to replace current national planning policy guidance for Gypsies and Travellers and Travelling Showpeople with a new Planning Policy Statement (PPS).
- 55.2 The Cabinet Member advised that, in principle, she welcomed a single PPS for Traveller sites and noted that, in due course, it would be incorporated into the NPPF with all other national planning guidance. She was supportive of the key policy objective set out in the consultation guidance, which was the fair and effective provision of authorised sites for Gypsies and Travellers - to facilitate their way of life whilst respecting the interests of the settled community. She also agreed that 'a robust 'evidence base' was essential to the assessment of the need for sites and stated that the guidance should therefore clarify, through best practice guidance, what was meant by 'robust' so that all Local Authorities (LAs) undertook realistic and comparable assessments. She welcomed the fact that LAs would be able to set their own targets for site provision and stated that it was important for such targets to be realistic and deliverable.
- 55.3 Councillor Morgan agreed that realistic and comparable assessment were important, particularly if the Government removed the requirement for LAs to provide sites. He asked how far the LAs were compelled to provide sites.
- 55.4 The Head of Planning Strategy explained that the council was still required to work under the existing legislation, which meant that provision was to be determined jointly with adjoining LAs. Under the new guidance, LAs would have to agree on the evidence base, which could prove challenging as there was no consistency across the relevant LAs.
- 55.5 Councillor C Theobald welcomed the proposed PPS and advised that the Conservative Group had submitted its own response to the consultation. She stated that provision of a permanent site would make it easier to move people on from unauthorised encampments and that it was important to treat all people equally in terms of accommodation and not be seen to be prioritising the needs of gypsies and travellers.
- 55.6 The Cabinet Member urged Members to encourage community cohesion and avoid making comments that could be construed as discriminatory.

55.7 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:

- (1) That the Cabinet Member for Planning, Employment, Economy & Regeneration approves and endorses the council's response to the Government's consultation on Proposed Replacement Planning Guidance 'Planning for Traveller Sites' (see Appendix A).

**56. LOCAL DEVELOPMENT FRAMEWORK CITY WIDE PLAN - UPDATED
BACKGROUND STUDIES**

56.1 The Cabinet Member considered a report of the Strategic Director, Place seeking approval for two studies providing background and supporting evidence for the City Plan (Core Strategy) and future Local Development Framework documents.

56.2 The Cabinet Member explained that the report provided an update on two background studies providing robust evidence for the City Plan. The first was the Brighton & Hove Retail Study Update – September 2011 and the second was the Housing Requirements Study – June 2011. She welcomed the completion of the studies as a step towards adopting the new City Plan for the city.

56.3 The Strategic Planning & Monitoring Manager advised that the Housing Requirement study made suggestions and provided an evidence base to the council.

56.4 The Senior Planning Officer, Local Development explained that the Retail Study was relatively positive about the city's performance; vacancy rates were low and there was no need to plan for additional convenience retail floor space. In response to a comment from Councillor C Theobald regarding convenience goods outlets, she explained that such outlets were finding a way in because planning permission was not required for a change of use in such cases.

56.5 Councillor Morgan noted that Brighton Marina was under-used for retail and that opening up the Black Rock site would be key to achieving progress at the Marina.

56.6 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:

- (1) That the Cabinet Member for Planning, Employment, Economy & Regeneration approves the Brighton and Hove Retail Study Update – September 2011 and the Housing Requirements Study – June 2011 as supporting evidence for the City Plan and other Local Development Framework documents.

57. COMMUNITY INFRASTRUCTURE LEVY

57.1 The Cabinet Member considered a report of the Strategic Director, Place concerning proposals for a Community Infrastructure Levy charging schedule to raise funds from developers undertaking new building projects in their area to fund a wide range of infrastructure that is needed as a result of development.

- 57.2 The Cabinet Member explained that there would still be an important role for site specific planning obligations (section 106 agreements) with developers to deal with specific site impacts. She advised that the CIL would be prepared in parallel with the City Plan.
- 57.3 In response to a question from Councillor Morgan regarding appeals against the CIL, the Strategic Planning & Monitoring Manager confirmed that once set the CIL would be mandatory, with no right of appeal.
- 57.4 Councillor C Theobald questioned whether the CIL would bring in more funding than the section 106 regime and advised that the council had to be careful not to deter developers.
- 57.5 The Strategic Planning & Monitoring Manager explained that section 106 contributions would be rolled back to some extent, but would still play a significant role. The CIL would raise more money than the section 106 regime, but would be set with development viability across the whole city in mind.
- 57.6 The Head of Planning & Public Protection advised that the purpose of the CIL was to unlock development potential by providing the necessary infrastructure. He added that the council would consult widely before setting finalising the charging schedule.
- 57.7 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:
- (1) That the Cabinet Member for Planning, Employment, Economy & Regeneration approves the production of a Community infrastructure Levy charging schedule and that this be brought forward for consultation alongside the production of the City Plan with a view to adopting the charging schedule as council policy.

58. DRAFT SUPPLEMENTARY PLANNING DOCUMENT DESIGN GUIDE FOR ALTERATIONS AND EXTENSION

- 58.1 The Cabinet Member considered a report of the Strategic Director, Place seeking endorsement of the draft Supplementary Planning Document (SPD) 'Design Guide for Extensions and Alterations' for the purpose of formal public consultation.
- 58.2 The Cabinet Member explained that the purpose of the draft SPD was to provide prospective applicants and members of the public with an interest in an application with user friendly guidance on the design issues when considering extending or altering a residential property. It detailed the key design considerations the Local Planning Authority would use when assessing applications or pre-application inquiries.
- 58.3 The Area Planning Manager gave a presentation highlighting the purpose, structure and overall aim on the SPD (Appendix 2), which was to ensure well-designed extensions and alterations to residential properties, and improve the quality of the local environment as well as reducing unnecessary refusals and appeals by increasing awareness of interpretation of Local Plan Policies and helping members of the public to understand how householder applications were assessed.

- 58.4 The Cabinet Member advised that the SPD was designed to help applicants, not dictate to them.
- 58.5 Councillor C Theobald asked how many schemes the SPD would apply to given that some extensions did not require planning permission. She welcomed the SPD, but noted that it would be difficult to prevent residents from thinking they could copy bad extensions on other properties.
- 58.6 The Area Planning Manager explained that the SPD, once adopted, would apply to all householder applications in order to raise awareness and understanding of good design principals.
- 58.7 In response to a question from Councillor Morgan, the Head of City Planning & Public Protection explained that the SPD brought together existing guidance from different places into one guide and reflected work with local agents. The SPD would encourage applicants to be clearer and agents to work closely with the council on applications.
- 58.8 **RESOLVED** - That, having considered the information and the reasons set out in the report, the following recommendations be accepted:
- (1) That the Cabinet Member for Planning, Employment, Economy & Regeneration approves the draft 'Design Guide for Extensions and Alterations' as a Supplementary Planning Document for the purposes of formal public consultation.

59. MAJOR PROJECTS UPDATE

- 59.1 The Cabinet Member considered an update from the Major Projects & Regeneration Team on a number of the city's major projects.
- 59.2 **RESOLVED** – That the update be noted.

60. PART TWO ITEMS

- 60.1 The Cabinet Member considered whether or not the above item should remain exempt from disclosure to the press and public.
- 60.2 **RESOLVED** – That item 59, contained in Part Two of the agenda, remains exempt from disclosure to the press and public.

The meeting concluded at 5.55pm

Signed

Cabinet Member

Dated this

day of

