





Brighton & Hove
City Council

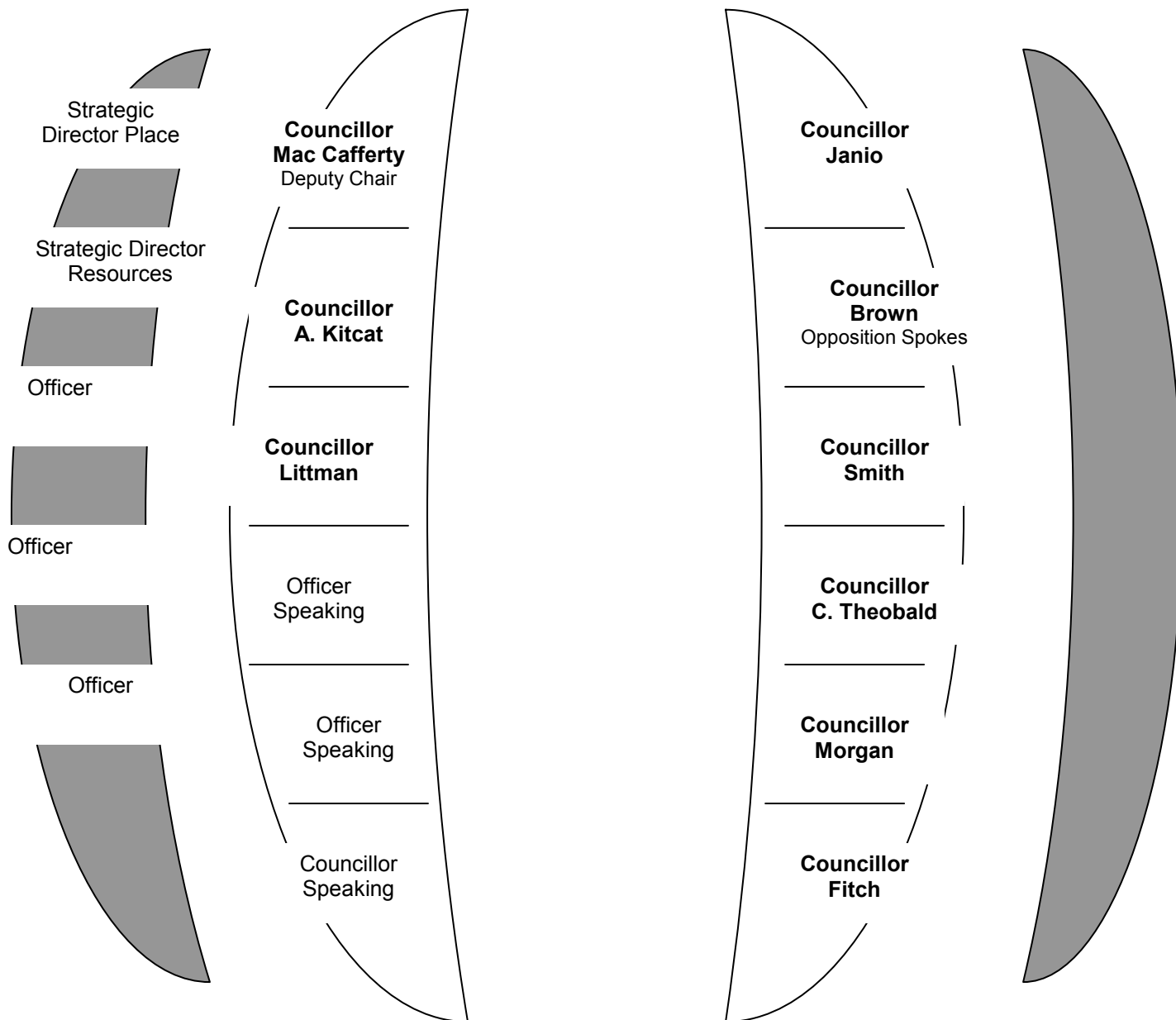
Economic Development & Culture Committee

Title:	Economic Development & Culture Committee
Date:	21 June 2012
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Bowden (Chair), Mac Cafferty (Deputy Chair), Brown (Opposition Spokesperson), Fitch, Janio, A Kitcat, Littman, Morgan, Smith and C Theobald
Contact:	Penny Jennings Democratic Services Officer 29-1065 penny.jennings@brighton-hove.gov.uk

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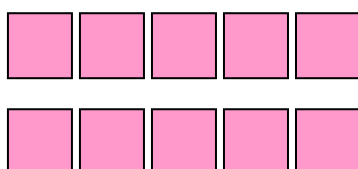
Democratic Services: Economic Development & Culture Committee

Legal Officer	Councillor Bowden Chair	Strategic Director Communities	Democratic Services Officer
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Public Speaker	Public Speaker
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Public Seating



Press

AGENDA

PART ONE

Page

1. PROCEDURAL BUSINESS

(a) **Declaration of Substitutes** - Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) **Declarations of Interest** – Statements by all Members present of any personal interests in matters on the agenda, outlining the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.

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

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

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

2. MINUTES

1 - 18

(a) Minutes of the Cabinet Member Meeting, Culture, Recreation & Tourism held on 6 March 2012 (copy attached for information);

(b) Minutes of the Cabinet Member Meeting, Planning, Economy, Employment & Regeneration held on, 29 March 2012 (copy attached for information).

Contact Officer: Penny Jennings

Tel: 01273 291065

3. CHAIR'S COMMUNICATIONS

4. CONSTITUTIONAL MATTERS

19 - 26

Report of the Strategic Director, Resources (copy attached)

Contact Officer: Mark Wall

Tel: 29-1006

Ward Affected: All Wards

5. PUBLIC INVOLVEMENT

27 - 28

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

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on 14 June 2012,
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on 14 June 2012.

6. ISSUES RAISED BY COUNCILLORS

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any notices of motion.

7. SALTDEAN LIDO 29 - 58

Oral update by the Strategic Director, Communities, Minute extract and report considered at meeting of Policy and Resources Committee held on 24 May 2012 (copy attached)

8. ROYAL PAVILION & MUSEUMS CATERING REVIEW 59 - 72

Report of the Strategic Director, Communities (copy attached)

Contact Officer: Janita Bagshawe *Tel:* 29-2840
Ward Affected: St Peter's & North Laine

9. IMPLICATIONS OF THE NATIONAL PLANNING POLICY FRAMEWORK FOR DECISION MAKING 73 - 110

Report of the Strategic Director, Place (copy attached)

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

10. UPDATE ON THE ECONOMIC STRATEGY & THE CITY PROSPECTUS 111 - 132

Report of the Strategic Director, Place (copy attached)

Contact Officer: Cheryl Finella *Tel:* 29-1095
Ward Affected: All Wards

11. PETER PAN LEISURE SITE, MADEIRA DRIVE, DEVELOPMENT PROPOSAL 133 - 220

Report of the Strategic Director, Communities (copy attached)

Please note: There will also be a brief power-point presentation in respect of this item.

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Contact Officer: Toni Manuel *Tel:* 29-0394
Ward Affected: East Brighton

12. ULTRAFAST BROADBAND BID 2012: WIRED FOR GROWTH **221 - 228**

Report of the Strategic Director, Place (copy attached)

Contact Officer: Max Woodford *Tel:* 29-3451
Ward Affected: All Wards

13. AMENDMENTS TO WOODEN BEACH HUT SPECIFICATION - HOVE PROMENADE **229 - 236**

Report of the Strategic Director, Communities (copy attached)

Contact Officer: Paul Vidler *Tel:* 29-1292
Ward Affected: Wish

14. OIVINGDEAN CONSERVATION AREA REVIEW **237 - 276**

Report of the Strategic Director, Place (copy attached)

Contact Officer: Sanne Roberts *Tel:* 29-2261
Ward Affected: Rottingdean Coastal

15. MAJOR PROJECTS UPDATE

Note: This will be a standing item on future meetings of the committee, but will be dealt with under Chair's Communications at the meeting on the 21 June, 2012.

Contact Officer: David Murray *Tel:* 29-7329
Ward Affected: All Wards

PART TWO

16. PART TWO MINUTES - EXEMPT CATEGORY **277 - 280**

The non public minutes of the Cabinet Member Meeting, Culture Recreation and Tourism, 6 March 2012 have been circulated for information (circulated to Members only).

17. PART TWO PROCEEDINGS

To consider whether the items listed in Part Two of the agenda and decisions thereon should remain exempt from disclosure to the press and public.

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

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

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

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

For further details and general enquiries about this meeting contact Penny Jennings, (29-1065, email penny.jennings@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication – Wednesday 13 June 2012

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 2 (a)

Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

CULTURE, RECREATION & TOURISM CABINET MEMBER MEETING

4.00pm 6 MARCH 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Bowden (Cabinet Member)

Also in attendance: Councillors Brown and Fitch

PART ONE

62. PROCEDURAL BUSINESS

62(a) Declarations of Interests

62.1 There were none.

62(b) Exclusion of Press and Public

62.2 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(1) of the Act).

62.3 **RESOLVED** - That the press and public be excluded from the meeting during consideration of items 79 and 80.

63. MINUTES OF THE PREVIOUS MEETING

- 63.1 **RESOLVED** – That the minutes of the Culture, Recreation & Tourism Cabinet Member Meeting held on 6 December 2011 be agreed and signed by the Cabinet Member.

64. MINUTES OF SPECIAL MEETING

- 64.1 **RESOLVED** – That the minutes of the Special Meeting of the Culture, Recreation and Tourism Cabinet Member meeting held on 7 February 2012 be agreed and signed by the Cabinet Member.

65. CABINET MEMBER'S COMMUNICATIONS

Royal Pavilion and Museum Services

- 65.1 The Cabinet Member stated that there were more success to report from the Royal Pavilion and Museum's service, due to a successful grant application to Heritage Lottery Fund, it had been possible to purchase a unique and valuable collection of Roman coins found in Burwash, West Sussex. He had also attended the launch of "Dreams of Here", an exhibition of new works by contemporary painters and printmakers at the Brighton Museum and Art Gallery. It is a lovely exhibition, it ran until 10 June.
- 65.2 Visitor numbers across all sites had continued to rise. The service had had 592,860 visits so far from April to January a 75,167 increase on the previous year. It was believed these figures were a result of programming e.g. family focused at Hove and the new exhibition gallery at Royal Pavilion. The "Dress for Excess" exhibition had received lots of national press and media coverage as had the Ice Rink, and a number of TV programmes had featured the Royal Pavilion.

Culture

Brighton Festivals Month

- 65.3 The Cabinet Member had also attended the launch of both the Brighton Fringe Festival and the main Brighton Festival at the end of February. It was understood that ticket sales for the Brighton Festival were up on what they had been for the same time last year already and that there were more events than ever in the Brighton Fringe. It looked as if May was set to be a successful Festival month for the city, much needed at the in this difficult economic time.

Tourism and Conferences

- 65.4 VisitBrighton's Convention Bureau had recently held their major sales and networking event at the House of Lords which the Cabinet Member had attended in order to showcase the city to an audience of conference organisers. The conference team were to be congratulated on a very professional and effective event which was already resulting in business leads for the city.

Seafront

- 65.5 The Volks Railway would be opening earlier this year to coincide with the start of the Easter school holidays. The first service would operate from 10.15am on Saturday 31 March.

Sports Development

- 65.6 The Sports Development Team had run a whole range of successful events over the last month, including the Indoor Athletics Competition for primary and secondary schools, during their February Half Term, activities offering fun and free physical activity sessions in the City to over 300 people had taken place.
- 65.7 Working in partnership with the Youth Offending Team, “The Street Games Festival” had taken place at Stanley Deason Leisure Centre, 56 young people had taken part in activities.

Libraries

World Book Day Thursday 1 March 2012

- 65.8 Brighton & Hove City Libraries Services had celebrated the 15th World Book Day on Thursday 1 March. The celebrations had included special sessions for babies to promote the “Bookstart” scheme which provided free books for babies and children. Over 110 local school pupils had engaged in lively question and answer sessions with authors Matt Haig and Dave Cousins, and other authors, Morag Ramsey and CJ Daugherty attended the Homework Clubs that evening. Some community libraries had held special preschool story times in partnership with Brighton Museums Services featuring some curious objects from the museums collections.
- 65.9 Events for adults had included the “Library Whispers” and the “Open Spoken Word Collective” browsing customers had been surprised with impromptu poetry recitals and the special information point at Jubilee Library had seen 40 members of the public enquire about the new eBooks service.

Budget

- 65.10 The Cabinet Member stated that he could not end his communications without noting the not insignificant matter of the Council’s budget. This has now been set, and whilst the changes affecting his portfolio will be challenging, officers were now working through them in preparation for the new financial year. He wished to place on record his thanks to all of the officers for the time and expertise that had gone into dealing with unprecedented challenges. The one area which still needed clarification was the operation of the Mobile Library. Following various amendments to the original Green budget presented, he had asked officers to clarify the current position when this was clearer he would be happy to offer an update.

66. ITEMS RESERVED FOR DISCUSSION

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

67. PETITIONS**(i) Petition – Freestyle Gymnasiums**

67.1 The Cabinet Member considered a report of the Strategic Director of Resources detailing a petition signed by 22 people in the relation to the provision of Freestyle gymnasiums for teenagers.

67.2 Ms Oaten Beggs the lead petitioner presented her petition in the following terms :

67.3 The Cabinet Member thanked Ms Oaten Beggs for her petition stating that he recognised the importance of opportunities for young people to participate in sport and physical activity and gave the following response:

“ The council are currently formulating a New Sports Facilities Plan for Brighton & Hove, the purpose of which is to inform future facility developments in the city. The Plan will assess the quantity and quality of existing sports facilities based on feedback from a consultation process held during January and February 2012. From this assessment the council will identify a set of priorities and recommendations to help meet them. The requirement for facilities such as Freestyle Gyms will be assessed along with other sporting activities and future priorities identified according to need.

I understand that you were made aware of the consultation process and hope that you have taken the opportunity to complete the survey. The findings of the Sports Facilities Plan will form the basis of a report to Cabinet in April 2012.”

67.4 **RESOLVED** – That the contents of the petition be received and noted.

68. PUBLIC QUESTIONS

68.1 The Cabinet Member reported that 2 public questions had been received.

68.2 Ms Crook asked the following question:

“At the Cabinet meeting in December I presented on behalf of the “Save Saltdean Lido Campaign” and the local community a clear mandate asking the Council to seek to negotiate a surrender of the lease and if no agreement is made by the end of February, seek to take back the lease via CPO with legal papers served on 1 March. Please can the Council provide a detailed update on whether they have acted on the instructions of local residents.

68.3 The Cabinet Member gave the following response:

“Listening to local residents is one thing that I, as a democratically elected councillor, take very seriously, as is the need to stay within the law and the Council’s financial regulations.”

684 Ms Crook asked a supplementary question requesting to know whether the Lido was included as a priority on the Council's Sports Plan.

68.5 The Cabinet Member responded that although the venue was considered important the Sports Plan related to indoor venues.

68.6 Mrs Fishleigh asked the following question:

"The last meeting of this Committee approved the introduction of monitoring arrangements of the Lido pools during the next season. Please can you tell us what items monitoring will cover and how monitoring will be implemented?"

68.7 The Cabinet Member gave the following response:

"As indicated in the report to my Cabinet Member Meeting in December, the monitoring will relate to the opening of the Lido for swimming. The monitoring will be undertaken by members of the Sports Facilities Team who have considerable expertise in such work."

68.8 Mrs Fishleigh then enquired whether other checks took place e.g., water quality etc.

68.9 The Cabinet Member explained that the lessee was required to meet all health and safety requirements as a legal obligation and checks were made to ensure that these health and safety requirements were met.

69. DEPUTATIONS

69.1 The Cabinet Member considered the following deputation from from Ms Crook on behalf of "Save Saltdean Lido"

"Saltdean Lido – The Case for Enforcement Action and Compulsory Purchase Order:

69.2 B&HCC have commissioned numerous surveys on the condition of Saltdean Lido and served a notice to the leaseholder in May 2010 relating to this disrepair. Despite the lessee previously claiming to have complied with that notice and the council stating publicly that this is not their view the council still cite that their option a) seek compliance with the lease is a great focus. The Council are out of touch with what local people want, failing to act upon the community mandate presented by the Save Saltdean Lido Campaign."

69.3 The Cabinet Member thanked Ms Crook for her deputation the contents of which were noted.

69.4 **RESOLVED** – That the deputation be received and its contents noted.

70. LETTERS FROM COUNCILLORS

70.1 There were none.

71. WRITTEN QUESTIONS FROM COUNCILLORS

71.1 There were none.

72. NOTICES OF MOTION

72.1 There were none.

73. OPERATION OF SALTDEAN LIDO

73.1 The Cabinet Member considered a report of the Strategic Director, Communities providing an update on the progress made on the recommendations approved at the Cabinet Member meeting on 6 December 2011 on the operation of Saltdean Lido.

73.2 The Head of Planning Strategy explained that the first stage warning letter had been sent and notwithstanding a delay inspection of the premises had taken place. The surveyor's report was currently awaited. It was not appropriate to take further action pending its receipt. However the Local Planning Authority would then seek to progress the matter further.

73.3 Councillor Fitch expressed his disappointment that this matter had not progressed more swiftly, it appeared that the matter had been hanging fire for sometime. The Cabinet Member stated that whilst he shared that sense of frustration it was important that the council proceeded within the law, certain processes had to be observed and the interests of all council tax payers had to be protected. Clear advice had been given that if the local authority sought to compulsorily purchase the site without observing due process, such action as well as having significant cost implications was likely to fail.

73.4 Mr Bruce, Principal Solicitor and Legal Adviser to the Cabinet Member Meeting gave an update on the current position. He explained that details from the appointed Valuer's Executive Summary were due to be placed on the council website imminently, which referred to a nil valuation for the surrender of the lease, on the basis that there was no "hope value" for the lease. It was known however that the lessee maintained that there was "hope value", on the basis that there was potential development on the site. Meetings had taken place with Officers of the Planning Department on several occasions and the lessee had been advised that such an expectation was unrealistic.

73.5 The Principal Solicitor went on to explain that arrangements had been made by the lessee for a representative from English Heritage to visit the site later that month. This was important because if, as envisaged English Heritage's independent assessment of the development position accorded with the council's it would bolster its stance in relation to surrender of the lease and a robust approach. A Compulsory Purchase Order remained a matter for the Planning Authority using local planning powers. The current functional divide between executive and non-executive decisions would be removed by the impending change to a Committee based decision making process although there

would still need to be “chinese walls” between the council’s roles as local planning authority and as landlord. Proceeding in the current manner (seeking to negotiate a surrender against the backcloth of potential action under planning legislation) represented the swiftest and most appropriate way forward.

73.6 Councillor Brown welcomed the report and the approach being taken especially in relation to health and safety issues, it was encouraging to note that after a number of years progress was being made. Councillor Brown expressed the hope that a robust approach would result in the matter being able to be resolved.

73.7 **RESOLVED** - That the Cabinet Member for Culture, Recreation and Tourism:

(1) Notes that the head lessee has agreed to have without prejudice negotiations regarding the possible surrender of the lease;

(2) Notes that an external valuer has produced a valuation of the Lido for surrender and/or compulsory purchase purposes;

(3) Notes that liaison with Saltdean Community Association (SCA) has been on-going, as, in accordance with the Full Council resolution, actions, actions undertaken by the council are with a view to not prejudicing the position of the SCA; and

(4) Notes that the local planning authority is considering the position under sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as referred to in section 4 of the report.

74. PRIDE FESTIVAL EVENTS 2012

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B (4) of the Local Government Act 1972 (items not to be considered unless the agenda is open to inspection at least five days in advance of the meeting) were that: Officers have been in ongoing discussions and communications with potential organisers regarding their intentions to stage a Pride event in Brighton & Hove in 2012. The outcome of these discussions needed to be taken into account in drafting the report.

74.1 The Cabinet Member considered a report of the Strategic Director, Communities which set out details of two proposals received for Pride events in 2012. One was from an organisation formed for this purpose and the other was for an event to held in Preston Park only from the organisers of the 2011 event. The report sought landlord’s consent to stage Pride Festival activities over the weekend of 1 & 2 September 2012.

74.2 It was explained that each event would be subject to the conditions and guidance as detailed in the Health & Safety Executive (HSE) Purple Guide which set out the requirements that needed to be met in full and signed off by the responsible lead agency and, where applicable, the City Safety .Advisory Group. The Outdoor Events Policy also stated that for major events of this size a comprehensive event plan was required to be produced by the approved organiser

74.3 RESOLVED - That the Cabinet Member agrees that the Council:

- (1) Continues to support Pride events over the weekend of 1 and 2 September 2012;
- (2) Grants Landlord's consent to Pride Brighton & Hove to stage both the Parade through the city and the fenced and ticketed Pride Festival in Preston Park, with both elements subject to the conditions as set out in paragraph 3.8 of the report;
- (3) Authorises officers to enter into formal agreements with the respective event organisers to determine fees, charges and conditions as appropriate;
- (4) Agrees that Landlord's consent may be withdrawn should an organiser fail to comply with the conditions and recommendations as set out;
- (5) Agrees that, following past practice, a deposit is held for the use of Preston Park to ensure that the Authority does not incur any costs that cannot be recovered and that this deposit does not incur any costs that cannot be recovered and that this deposit will only be released on reinstatement of the area to the satisfaction of the Authority; and
- (6) Delegates authority to the Strategic Director, Communities to agree any necessary permissions associated with any other events planned for the Pride weekend such as St James's Street party or other community or cultural events.

75. OUTDOOR EVENTS POLICY

- 75.1 The Cabinet Member considered a report of the Strategic Director, Communities seeking approval to the Outdoor Events Policy as set out in Appendix 1 to the report and to the proposed fees and charges for 2012/13 as set out in Appendix 2 to the report. This would enable the Outdoor Events Policy to be approved and fees and charges to be set for 2012/13.
- 75.2 The Cabinet Member stated that it was recognised that outdoor events were very important to the visitor economy of the city and that major events had citywide implications. It should be noted that the Safety Advisory Group gave advice on the impact of major events in the city.
- 75.3 Councillor Fitch sought clarification of how it was determined whether an event was "minor" or "major" and the differentiation between them.
- 75.4 **RESOLVED** – (1) That the Cabinet Member approves the Outdoor Events Policy set out in Appendix 1 to the report; and

(2) Approves the fees and charges for outdoor events 2012/13 listed in Appendix 2 to the report.

76. ROYAL PAVILION AND MUSEUMS' RENAISSANCE

- 76.1 The Cabinet Member considered a report of the Strategic Director, Communities advising that the Royal Pavilion and Museums had been awarded a major grant under the Arts Council's New Renaissance Programme. The report set out the Renaissance Programme scheme and detailed the work that it would support.
- 76.2 The Cabinet Member stated that he was pleased to note this success which attested to the hard work and enthusiasm of the staff concerned, Councillors Brown and Fitch concurred in that view.
- 76.3 **RESOLVED** - That the Cabinet Member notes the proposed programme subject to the negotiations on the funding agreement with Arts Council England.

77. ART UP INTERREGS BID

- 77.1 The Cabinet Member considered a report of the Strategic Director, Communities seeking approval and endorsement for the submission of the Interreg IVA Art Up Bid.
- 77.2 It was explained that the project was led by Care Co-operatives Ltd and involved 9 partners from England and France. The project aimed to involve young children, young adults and disabled people in developing confidence and skills via a series of collaborative artistic and cultural projects and events.
- 77.3 Councillor Brown expressed support for the scheme stating that she hoped that it was successful and that the appropriate level of matched funding was in place.
- 77.4 **RESOLVED** - That Brighton and Hove City Library Services' participation in the Interreg Iva Art Up Bid be approved and endorsed.

78. UPDATE ON 2012 AND DIAMOND JUBLIEE CELEBRATIONS

- 78.1 The Cabinet Member considered a report of the Strategic Director, Communities detailing planned activities for 2012 and the Diamond Jubilee seeking endorsement of the proposed approach to supporting a summer of community based activity to support celebrations relating to both Olympic and Paralympic activity and the Diamond Jubilee.
- 78.2 The report focused on Brighton and Hove's plan of activity for 2012 to maximise opportunities presented by London hosting the Olympic
- 78.3 Councillor Fitch stated that he was pleased to note that a series of integrated sports activities were planned which would foster an interest in sport and fitness which would dovetail with the memorable events going on across the country.
- 78.4 Councillor Brown welcomed the initiatives proposed and welcomed the involvement of young people and disabled groups.
- 78.4 **RESOLVED** - That the Cabinet Member notes the contents of the report and plans for activities; and

(2) That the Cabinet Member endorses the approach to supporting a summer of community based activity to support celebrations relating to both Olympic and Paralympic activity and the Diamond Jubilee.

SUMMARY OF ITEMS CONSIDERED WHILST THE PRESS AND PUBLIC WERE EXCLUDED

The Press and Public were excluded during consideration of the following events which were exempt under Paragraphs 2 and 3 of the Local Government Act 1972 as amended.

79. UPDATE ON 2012 AND DIAMOND JUBILEE CELEBRATIONS

The Commissioner for Culture gave a detailed presentation in respect of arrangements made to date in respect of events arranged in relation to Brighton and Hove's Programme for 2012 and the Diamond Jubilee, this included information which was highly confidential at this stage.

80. PRIDE FESTIVAL EVENTS 2012

The Cabinet Member considered a report of the Strategic Director, Communities in relation to proposed Pride Festival Events in 2012.

There was a history in Brighton and Hove of the Lesbian, Gay Bisexual and Trans (LGBT) community staging an annual Pride event in the city for many years. The Part 1 report (see above) had set out two proposals for pride events in 2012 and had made recommendations as to the granting of Landlord's consent to Pride Brighton & Hove. The Part 2 report set out further confidential details in respect of both of the proposals and the chronology leading to the recommendations made in the Part 1 report.

The meeting concluded at 5.55pm

Signed

Chair

Dated this

day of

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 2 (b)

Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

PLANNING, EMPLOYMENT, ECONOMY & REGENERATION CABINET MEMBER MEETING

4.00pm 29 MARCH 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Randall (Cabinet Member)

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

Other Members present: Councillors MacCafferty

PART ONE

85. PROCEDURAL BUSINESS

85(a) Declarations of Interests

85a.1 There were none.

85(b) Exclusion of Press and Public

85b.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).

85b.2 **RESOLVED** - That the press and public not be excluded.

86. MINUTES OF THE PREVIOUS MEETING

- 86.1 **RESOLVED** – That the minutes of the meeting held on 2 February 2012 were approved as a correct record.

87. CABINET MEMBER'S COMMUNICATIONS

- 87.1 The Leader explained that he was acting as substitute for Councillor Amy Kennedy who was unfortunately unwell. As this was the last meeting of the Planning, Employment, Economy and Regeneration Cabinet Member meeting the Leader thanked the work of Councillors Kennedy, Morgan and Carol Theobald and all the Officers who had been involved.
- 87.2 The Section 106 Agreement for the redevelopment of the Royal Sussex County Hospital had been finalised on 28 March 2012; the South East Regional Health Authority would be meeting shortly, and it was expected the Authority would recommend to the Minister for Health that the funding for the scheme be agreed. The redevelopment would provide an important boost to the economy of the city.
- 87.3 The South East Dance Group had confirmed it would commit approximately £134k through capital funding from the Arts Council as part of the cost of the dance space included in the plans of the Circus Street Market scheme. The plans for the scheme were currently being worked on, and it was noted that this would be an important development site for the city.

88. ITEMS RESERVED FOR DISCUSSION

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

89. PETITIONS

- 89.1 There were none.

90. PUBLIC QUESTIONS

- 90.1 There were none.

91. DEPUTATIONS

- 91.1 There were none.

92. LETTERS FROM COUNCILLORS

- 92.1 There were none.

93. WRITTEN QUESTIONS FROM COUNCILLORS

- 93.1 There were none.

94. NOTICES OF MOTIONS

94.1 There were none.

95. EMPLOYMENT UPDATE

95.1 The Leader considered a verbal update from the Economic Development Manager, Cheryl Finella, concerning employment in Brighton & Hove.

95.2 The Economic Development Manager explained that, in line with the national trend, employment had risen since 2008; however, the rise was proportionally less than both the regional and national average. Similarly the figures for both male and female unemployment were below these averages. There was evidence that the work undertaken by the team was having a real impact on reducing figures, and it was vital that the Council continue to monitor and take active steps to address unemployment in the city.

95.3 Councillor Morgan noted that it had been forecast that the UK economy would enter recession in the next quarter, and he went on to highlight the negative personal impacts of unemployment on individuals; the Leader agreed with Councillor Morgan's comments.

95.4 Councillor Carol Theobald said that the figures were still high – even though they were proportionally less than the regional and national averages – and stated that the Government were taking measures to mitigate the situation. The Leader noted that the effect of unemployment was greater on women.

95.5 The Economic Development Manager clarified that 'unemployed' was a loose term covering those not currently in the labour market.

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

96. UPDATE ON YOUTH UNEMPLOYMENT

96.1 The Leader considered a report from the Strategic Director of Place concerning Youth Unemployment in Brighton & Hove. It was noted there was work on-going with local companies to offer work experience for youths who had no experience of work in their families, and the Corporate Parenting Body had also suggested schemes to provide work experience for youths who would be coming out of care.

96.2 The Economic Development Manager explained that the large student population in the city increased the number of 18-24 years olds not in employment, but there were increases in employment figures during Christmas and the summer period. Work was being undertaken by the Apprenticeship Training Agency in collaboration with the City Collage to allow small businesses to engage in training and work experience, and it was hoped they could offer services to approximately 125 youths in the first year. The Youth Contract would launch in April 2012; the achievements of the Youth Employability Service (YES) were highlighted and potential funding from the Department for Work and Pensions (DWP) had been identified.

96.3 Councillor Morgan stated that a loss of talent and potential in the work force at any age was negative. He went to state that, although construction training was an excellent

means to reduce the number of NEETs, it should be recognised that the manual aspects of the work were not suitable for everyone, and opportunities in creative industries could be further explored. In response the Economic Development Manager highlighted that the construction industry was one option among many, and work was on-going to see how businesses in all sectors could engage.

- 96.4 Councillor Carol Theobald highlighted some of the schemes that the Government was funding to address youth unemployment. Councillor Morgan noted his concerns that many such schemes were regionally targeting, and the Southeast could potentially benefit less from this where the situation was proportionally better than other parts of the country.
- 96.5 In summary the Leader noted the importance of training people in the construction industry and the number of large building schemes coming forward in the city; expressed his concern over the potential loss of talent in the work force, and highlighted some of the positive work being undertaken by the City College.
- 96.6 **RESOLVED** - That the Leader acting as the Cabinet Member for Planning, Employment, Economy and Regeneration note the contents of the report and the work being undertaken to mitigate the impact of rising levels of unemployment on young people.

97. UPDATE ON THE LEPS

- 97.1 The Leader considered a report from the Strategic Director of Place concerning an update on the Coast to Capital Local Enterprise Partnership (LEP).
- 97.2 The Economic Development Manager introduced the item and outlined the background to the partnership and its main aims and targets. The two main strands of activity focused on internationalism and entrepreneurship; to help build diversity and resilience in the local market. Levels of entrepreneurship in the city were some of the highest in the country, and a recent meeting had proposed growth be focused around the M23/A23 corridor where it was believed it would have the highest yield. In relation to income it was explained that there was a small amount for running and research costs, and funding was allocated for 'shovel ready' projects where planning permission was already in place but progress had stalled.
- 97.3 The Leader highlighted that the Council had bid for funding for the i360 project, and, if agreed, the funding would be in the form of a loan to the developers. The LEP Investment Sub-Committee had met to consider the current bids and the i360 had been put forward against others for potential funding. The Leader also highlighted potential future bids including ultra-fast broadband and a joint bid with Adur District Council and West Sussex County Council for flood defences at Shoreham Port.
- 97.4 Councillor Morgan asked questions in relation to the funding, and highlighted that there should be as much transparency in the process as possible. In response Officers explained that some of the start-up funds were effectively 'one-off', and there was £16 million of core funding. The LEP had not yet finalised the funding arrangements, and it was felt that smaller community bids could be funded through grants; there was a responsibility to ensure that any loans were allocated reasonably.

97.5 Councillor Carol Theobald noted that the i360 was a good scheme for the seafront, and it was clarified that if successful the prospective loan period would be approximately 11 years. The Leader also highlighted that the scheme would provide approximately 180 jobs in its construction and running.

97.6 **RESOLVED** - That the Leader acting as the Cabinet Member for Planning, Employment, Economy and Regeneration notes the contents of the report.

98. ADDITION OF LONDON ROAD COOP TO THE LOCAL LIST

98.1 The Leader considered a report from the Strategic Director of Place concerning the addition of the former London Road CoOp building to the Local List.

98.2 The Senior Planner (Conservation), Tim Jefferies, introduced the report, and explained that the request, to add the building to the local list, had been received from the Planning Committee on 14 December 2012 when an application for demolition of the building and erection of student accommodation had been refused. The current Local List predated the formation of the Council and was out of date; a comprehensive review was due to begin later in the year. It was not the normal process to add buildings on an ad hoc basis; however it was felt that the importance of the building locally and the request from the Planning Committee made an exceptional case. Inclusion on the list did not give the building any additional statutory protection, but it did ensure that greater weight and exploration would be given to consideration of retaining the building, and it was noted that retention already formed part of the London Road master plan.

98.3 The Leader noted that there was a strong case to retain the building as it was a popular, and reflected the departmental store architecture of its 1930s context; furthermore, the reason for refusal at the Planning Committee had related, in part, to the design of the proposals.

98.4 Councillor Carol Theobald said that she welcomed the report, and hoped future applications would, at least, be able to protect the façade of the building. Councillor Morgan went onto note that this was an important 'hub' for the London Road area, and he hoped that any proposed development could make flexible use of the space. The Head of Planning and Public Protection confirmed that the addition of the building to the Local List was the appropriate tool to enable flexibility in future development proposals.

98.5 **RESOLVED** - That the Leader acting as the Cabinet Member for Planning, Employment, Economy and Regeneration approve that the former London Road CoOp building at 84-103 London Road, Brighton be added to the council's list of Buildings of Local Interest and that its local interest be defined in accordance with the Statement of Significance at Appendix 1.

99. MAJOR PROJECTS UPDATE

99.1 The Leader considered a presentation from two of the Project Managers (Major Projects), Max Woodford and Richard Davies, in relation to major projects in the city.

99.2 The Project Managers gave an update on four major projects in the city. The Open Market project on London Road had begun works in January 2012; the scheme would

provide 44 permanent markets stalls, 12 workshops and 87 affordable housing units, and was scheduled to open in August 2013. The Keep, Woolards Fields, a joint project with East Sussex County Council to provide a new historical records office, was set to achieve BREEAM standard excellent, and was due to open in June 2012. The new AMEX House was currently in the final stages of internal fitting, and was due to be occupied in late summer 2012; with the old AMEX House scheduled for demolition in 2016. Finally the Circus Street Market scheme was ready to move onto consultation as part of the planning stage; the Arts Council had awarded funding to the South East Dance Group, and an application was expected in late 2012 with potential completion in 2015.

- 99.3 The Leader highlighted the cross-party support for the Circus Street Market scheme, but felt that failure to agree a temporary market use was a lost opportunity. There was increased public confidence in taking the scheme forward, but public consultation needed to be at the centre of any proposals.
- 99.4 Councillor Morgan welcomed the presentation, and suggested that work could be undertaken to look at the secondary employment created by AMEX to consider how other businesses and individuals, who were not directly employed, relied on the site staying in the city.
- 99.5 Councillor Morgan also went on to note that the Brighton Centre needed further discussion; in response the Leader agreed that further work was necessary, although some improvements had already been made, and suggested that cross-party project boards could be set up in the next municipal year. Councillor Carol Theobald also noted the improvements made to the Brighton Centre, and said that there were further structural works to be completed.
- 99.6 Councillor Carol Theobald also asked questions in relation to the West Pier and the i360 project; in response it was explained that it was important to deliver the i360 project before considering other projects that may not necessarily compliment the i360. Once this was completed there would be an opportunity to discuss the necessity of a second pier, given that much of the heritage aspects of the West Pier had unfortunately been lost.
- 99.7 **RESOLVED** – That the update be noted.

The meeting concluded at Time Not Specified

Signed

Cabinet Member

Dated this

day of

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 4

Brighton & Hove City Council

Subject:	Constitutional Matters		
Date of Meeting:	21 June 2012		
Report of:	Monitoring Officer		
Contact Officer:	Name:	Mark Wall	Tel: 29-1006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

For General Release

1. SUMMARY AND POLICY CONTEXT

- 1.1 To provide information on the committee's terms of reference and related matters including the appointment of its Urgency Sub-Committee.

2. RECOMMENDATIONS

- 2.1 That the committee's terms of reference as set out in this report, be noted; and
- 2.2 That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee be approved.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Council meeting on 26 April 2012 agreed the new constitution for the City Council. The new constitution came into force at the conclusion of the Annual Council meeting on 17 May.
- 3.2 Article 6 of the constitution, which incorporates a schedule of all the Committees/Sub-committees established in the new constitution together with a summary of their respective functions, is reproduced at Appendix 'A' to this report.

The Economic Development & Culture Committee – Terms of Reference

- 3.3 The terms of reference of the Economic Development & Culture Committee are set out in the new constitution. This Committee discharges the Council's functions in relation to culture, arts and heritage; tourism and marketing; libraries and museums; events; leisure, sports and recreation; planning policy;

economic growth and regeneration; major built environment projects; conservation and design; building control; and as local planning authority (except for the development control functions delegated to the Planning Committee).

[Note: These terms of reference should be read in the context of the 'Introduction and General Delegations' included in the Scheme of Delegations to Committees and Sub-Committees at part 4 of the constitution. For ease of reference these sections are attached at Appendix 'B' to this report]:

Membership

- 3.4 The membership of the committee is set at 10 Members of the council.
- 3.5 The arrangements for substitute Members to attend meetings of Committees/Sub-Committees, as set out in the Council Procedure Rules 18 to 24, apply to meetings of the Economic Development & Culture Committee.

Programme Meetings

- 3.6 Ordinary meetings of the Economic Development & Culture Committee are scheduled to take place on the following dates during 2012/13:

Thursday 21 June 2012
Thursday 20 September 2012
Thursday 15 November 2012
Thursday 10 January 2013
Thursday 7 March 2013
Thursday 25 April 2013

- 3.7 Meetings of the Committee will normally be held at Hove Town Hall and will start at 4.00 p.m.

Urgency Sub-Committee

- 3.8 The Constitution states that 'each Committee of the Council except the Audit & Standards Committee may appoint an Urgency Sub-Committee to exercise its powers. The Membership of such Urgency Sub-Committee shall consist of the Chair of the Committee, and two other Members nominated by the Group Leader or Leaders as appropriate to meet the requirements for the allocation of seats between political groups. Such Urgency Sub-Committees may exercise their powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Committee. Every decision of each Urgency Sub-Committee shall be reported for information to the next ordinary meeting of the Committee as appropriate.'

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 All Members considered and approved the new constitution on the 26th April 2012.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no specific financial implications arising from this report. It is expected that the overall effect of the introduction of the new constitution will be cost neutral.

Finance Officer Consulted: *Name Anne Silley* *Date: 23/05/12*

Legal Implications:

- 5.2 The Council's constitution complies with the requirements of the Localism Act 2011, the Local Government Act 2000, the Local Authorities (Constitutions) Direction and relevant guidance.
- 5.3 There are no adverse Human Rights Act implications arising from this report.

Lawyer Consulted: *Elizabeth Culbert* *Date: 23/05/12*

Equalities Implications:

- 5.4 There are no equalities implications arising from the report.

Sustainability Implications:

- 5.5 There are no sustainability implications arising from the report.

Crime & Disorder Implications:

- 5.6 There are no crime & disorder implications arising from the report.

Risk and Opportunity Management Implications:

- 5.7 The provision of this pay policy statement provides greater transparency to enable the public to understand and challenge local decisions of pay and reward of the council's workforce.

Public Health Implications:

- 5.8 There are no public health implications arising from the report.

Corporate / Citywide Implications:

- 5.9 There are no corporate or city wide implications arising from the report..

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The council's constitution provides for the appointment of the sub-committees and urgency sub-committees and it is for the Committee to determine this action and it could decide not to make such appointments. However, this would be contrary to the wishes of the council and is not therefore regarded as a viable alternative option.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The recommendations are being put forward in line with the requirements of the constitution.

SUPPORTING DOCUMENTATION

Appendices:

1. (A) Article 6 – Committees and Sub-Committees
2. (B) Terms of Reference

Background Documents

1. The Constitution

ARTICLE 6 – COMMITTEES AND SUB-COMMITTEES

6.01 Introduction

The implementation of the Council's budget and policy framework, and the discharge of its regulatory functions, is undertaken by a number of Committees and Sub-Committees with powers delegated from the full Council. The Council has also devolved powers to Partnership Boards with health bodies, under the National Health Service Act 2006, the Children Act 2004 and the Health and Social Care Act 2012.

The Council will appoint or make appointments to the Committees, Sub-Committees, Joint Committees and Partnership Boards as set out in the left hand column of the tables below. An indication of the functions of each Committee/Sub-Committee/Joint Committee/Partnership Board is shown in column 3 of the table. The terms of reference and powers delegated to each Committee, Sub-Committee, Joint Committee and Partnership Board are more particularly set out in Part 4 of the constitution.

6.06 Urgency Committee/Sub-Committees

- (a) The Council shall establish an Urgency Committee to exercise its powers. The membership of the Urgency Committee shall consist of 7 Members. The Urgency Committee may exercise its powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Council. Every decision of the Urgency Committee shall be reported for information to the next ordinary meeting of the full Council.
- (b) Each Committee of the Council may appoint an Urgency Sub-Committee to exercise its powers. The Membership of such Urgency Sub-Committee shall consist of the Chair of the Committee, and two other Members nominated by the Group Leader or Leaders as appropriate to meet the requirements for the allocation of seats between political groups. Such Urgency Sub-Committees may exercise their powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Committee. Every decision of each Urgency Sub-Committee shall be reported for information to the next ordinary meeting of the Committee as appropriate.

Procedural Rules:

Rule 22: Urgency Sub-Committees

- 22.1 Each Committee of the Council shall appoint an Urgency Sub-Committee to exercise its powers. The membership of such Urgency Sub-Committee shall consist of the Chair of the Committee, and two other Members nominated by the Group Leader or Leaders as appropriate to meet the requirements for the allocation of seats between political groups.
- 22.2 Such Urgency Sub-Committees may exercise their powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Committee. Every decision of each Urgency Sub-Committee shall be reported for information to the next ordinary meeting of the Committee as appropriate.

Scheme of Delegation to Committees and Sub-Committees: Introduction and General Delegations

TERMS OF REFERENCE OF COMMITTEES

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Explanatory Note

This Committee is responsible for the council's functions relating to planning policy, employment, economic growth and regeneration, culture, tourism and leisure.

Delegated Functions

1 Planning

To exercise the Council's functions as local planning authority (to the extent that they are not development control functions delegated to the Planning Committee), including the formulation and development of the Development Plan Documents prior to their adoption by Full Council.

2. Economic Growth and Regeneration

- (a) To exercise the Council's functions and partnerships regarding the promotion of economic growth and the establishment and development of business.
- (b) To promote and develop the economic fundamentals of the City in areas such as adult skills, productivity, development sites etc.

3. Major Built Environment Projects

- (a) To oversee the progress of major projects (including major building, infrastructure or other projects involving the erection or significant alteration of major permanent structures or landmarks) undertaken by

the Council, and advise the Policy & Resources Committee as appropriate.

- (b) To review major projects and any project Boards having regard to capacity to deliver, corporate priorities and resources, and advise the Policy & Resources Committee as appropriate.

4. Conservation and Design

To exercise the Council's functions in relation to Conservation and Design including the Hove Borough Council Act 1976.

5. Building Control

To exercise the Council's functions regarding building control.

6. Culture, Arts and Heritage

To exercise the Council's functions in relation to culture, including arts, entertainment, cultural activities and heritage.

7. Tourism & Marketing

To exercise the Council's functions in relation to tourism, marketing and conferences.

8. Libraries and Museums

To exercise the Council's functions in relation to libraries, museums, art galleries, historic buildings and their gardens and the functions of the Council regarding public records.

9. Events

To exercise the Council's functions in relation to events, including the annual programme of entertainment events (providing that if the relevant Strategic Director, or other officer with delegated powers, is of the view that the event is a major event or has corporate budgetary or policy implications the matter shall be referred to the Policy & Resources Committee).

10. Leisure, Sports and Recreation

To exercise the Council's functions in relation to the provision and management of leisure, sports and recreation facilities.

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 5(a)

Brighton & Hove City Council

Subject: Petition(s)
Date of Meeting: 21 June 2012
Report of: Strategic Director, Resources
Contact Officer: Name: Penny Jennings Tel: 29-1065
E-mail: Penny.jennings@brighton-hove.gov.uk
Key Decision: No
Wards Affected: Various

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 Committee 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

Governing Party Conventions

3. (i) To receive the following e-Petition submitted via the council's website by Tom Coady. The final number of signatures obtained will be advised at the meeting.

"We the undersigned petition the Council to discourage visitors who require excessive security measures. While we welcome anyone of any faith, creed or persuasion to visit our city, we consider the security

measures disproportionate to the actual risks. If the risks are truly in proportion to the quantum and expense of the security operation, it would seem that these conferences are subjecting everyone living or passing by to an unacceptable risk of collateral damage and so should consider holding their conference somewhere remote. Given the restrictions to anyone entering the secured area, it is difficult to see how these visitors are engaging in any form of democratic exchange, not to mention the limited scope for delegates to contribute to the local economy outside the secured zone”

Justification:

In the words of the recent warning letter: “Brighton and Hove City Council to host the Liberal Democrats’ conference at the Brighton Centre between 22 – 26 September.” As the Liberal Democrats are part of the coalition government, there will be a security operation in place for this event for which will be led by Sussex Police. At this time we anticipate the main security measure for this event which will be led by Sussex Police. At this time we anticipate the main security measure for this event will be temporary fencing around the Brighton Centre and the Grand Hotel. The pavement immediately outside these buildings will also be closed to the public. There will be no other access restrictions for residents – either walking or driving. Residential vehicle passes will not be required as they have been in previous years. We would however, be grateful if you would advise us as far as possible in advance if you are planning anything which may involve large vehicles driving in and out of the area.”

What this means in practice is a period of at least a week where:

- *our homes are surrounded by police, private security guards, sniffer dogs and builders creating temporary security fences and barriers.
- *there are unreasonable restrictions placed on the free movement of people and deliveries to their private homes.
- *anyone wishing to enjoy the hotel facilities such as gym membership have to forego their entitlement.
- *anyone who usually uses the car parks has to move their car and not return until the event is over.
- *most local businesses refuse to deliver goods or services, and if they do run a gauntlet of challenges or roadblocks.
- *anyone who happens to walk to or from the area puts themselves at very high risk of intrusive searches under prevention of terrorism powers.

You have more chance of winning first prize in the National Lottery than you have of being killed by a terrorist. On average, each year in the past decade approximately 150 people drown in their own bath in the UK. On average, each year in the past decade approximately eight people are killed in the UK by terrorists. One death is too many, but terrorism is one of the very least likely ways we might die.

**ECONOMIC
DEVELOPMENT &
CULTURE COMMITTEE**

**POLICY & RESOURCES
COMMITTEE**

Agenda Item 7

Brighton & Hove City Council

Agenda Item 3

Brighton & Hove City Council

Subject:	Saltdean Lido		
Date of Meeting:	30th May 2012/ 21 June (submitted to Economic Development & Culture Committee for information)		
Report of:	Strategic Director - Communities		
Lead Member:	Economic Development & Culture		
Contact Officer:	Name:	Ian Shurrock	Tel: 29-2084
	Email:	ian.shurrock@brighton-hove.gov.uk	
Key Decision:	Yes		
Ward(s) affected:	All		

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) was the short timescale since conclusion of negotiations and receipt of proposals.

This item was published in the Committee Agenda on the 24th May 2012. This was the first opportunity after the Council became aware of the proposal. A decision is required to be taken by 31st May 2012 meaning it would be impracticable to defer the decision. The procedures required under Part 5 Overview & Scrutiny Rules, Procedural rule 18 and Part 7 Access to Information, have been followed.

1. SUMMARY AND POLICY CONTEXT

- 1.1 The council is the freeholder of Saltdean Lido which is leased on a long lease to Saltdean Lido Limited (SLL) of 125 years, of which 111 years are remaining. SLL is the head lessee, with sub tenancies to Saltdean Community Association (“SCA”) for the community centre and the council for the library. This report is being considered within the context of the council being the freehold owner of the Lido complex and therefore as the “superior landlord” of the property. The council also has statutory duties in respect of the property, from a planning perspective as the local planning authority and as the regulatory body for health and safety issues through Environmental Health. The current situation has resulted in a considerable amount of officer time

being expended across these council functions on issues in relation to the Lido.

- 1.2 Saltdean Lido is an important community facility with the community centre and library providing activities and services primarily to local residents. However, the Lido itself is the largest enclosed outdoor swimming facility for the city and therefore has a wider catchment area. In addition, health and fitness facilities are also provided within the Lido complex.
- 1.3 The overriding requirement of the council is to seek a vibrant, accessible, high quality facility that befits the status of the Lido as a key asset of both the local and wider city community.
- 1.4 A resolution of full Council was agreed at the meeting of 20th October 2011 included a review of the options available in relation to getting a resolution to the current impasse and the taking of early actions that would facilitate the repair and refurbishment of the Lido which do not prejudice the position of SCA, who are tenants of SLL.
- 1.5 Reports on the operation of Saltdean Lido have been considered at the Cabinet Member Meeting for Culture, Recreation & Tourism on 6th December 2011 and 6th March 2012 (Appendices 2 & 3). At the first meeting it was approved that senior officers should continue to seek a negotiated way forward with the head lessee, including if satisfactory terms can be agreed, surrender of the head lease back to the council. At the March meeting it was noted that the head lessee had agreed to have without prejudice negotiations regarding the possible surrender of the lease.
- 1.6 Various questions have been put to various meetings of the council by the Save Saltdean Lido Campaign.
- 1.7 Negotiations with SLL have resulted in an agreement in principle for the head lease to be surrendered back to the council but as the terms of the proposed agreement are commercially sensitive they need to be considered in a part II confidential session.
- 1.8 A plan of the site is attached in Appendix 1.

2. RECOMMENDATIONS

- 2.1 That it be noted the terms for the surrender of the Lease of Saltdean Lido ("the surrender") are recommended to be agreed in the Part II report going to this meeting;
- 2.2 That it be noted as the surrender does not entail the transfer of a going concern, it is inevitable that, if the terms of the surrender are agreed, the pools and gym part of the Lido will not be immediately open at the start of the summer season; and

- 2.3 That if the terms of the surrender are agreed, it be agreed that interim management arrangements are put in place as soon as possible by officers in consultation with the Chair of the Economic Development & Culture Committee.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS

3.1 History & Lease Arrangements

- 3.1.1 The relevant history is set out in Appendices 2 and 3. As explained in the appendices (a) the library is leased back to the council; no rent is payable but the council are liable under the sub lease to contribute to the repairs and maintenance to be carried out by SLL; (b) the SCA are holding over the sublease granted to them and the council's legal view is that their documentation provides for a 55% contribution; and (c) the sublessee of the public house does not contribute to the main Lido expenses and pays a ground rent to SLL.

- 3.1.2 The current lessee is SLL for whom Mr Audley is also a director. The Appendices refer to relevant requirements under the head lease and steps taken by the council under the lease. On May 15th mediation between the council and SLL took place to see if agreement could be reached regarding the terms of a surrender of the lease back to the council. The detail of the proposal is in the Part II report. If the recommendations in that report are agreed the agreement to be entered into on 31st May 2012 would be in full and final settlement not only of all claims between SLL and Mr Audley and the council but also of the current claims and counterclaims between SLL and Mr Audley and the SCA.

- 3.1.3 SCA runs a thriving community centre which provides a wide range of activities with approximately 700 users per week. The community centre is a strong focal point for the local community and as well as a programme of regular activities, the centre is often used for functions and events. The library is open 3 days a week and is used by approximately 37,000 visitors per year. Saltdean Library is the second busiest community library in the city on a visits per hour basis.

3.2 Condition of Building and position of the Local Planning Authority

- 3.2.1 On 12th May 2010 the council served a notice as landlord under the lease regarding aspects of disrepair. The lessee served a counter notice which means that no further action can be taken by the council without resorting to court.
- 3.2.2 The Lido was upgraded to a grade II* listing in March 2011 and was put on the Buildings at Risk register on 19th October 2011. This register is used by English Heritage as part of its Heritage at Risk programme which was established "to identify historic assets that are at risk of being lost through neglect, decay or development or are vulnerable to becoming so".

- 3.2.3 The local planning authority appointed a surveyor to advise on the works that would be necessary for the proper preservation of the listed building. A first stage warning letter was sent to SLL on 12 January 2012 expressing concern over the condition of the building and advising SLL of the council's powers to serve a Repairs Notice under section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the powers to compulsory purchase the building lease under section 47 of that Act if such a Notice is not complied with. SLL was further advised that the use of these powers was being actively considered in this case. The Lido was inspected by a conservation officer from the Heritage team together with the appointed surveyor and a schedule of works drawn up.
- 3.2.4 A 10-15 year maintenance plan was proposed by SLL to the local planning authority, with a view to removing it from the At Risk Register. However, the lessee made it clear that this programme of works could only be funded by way of an enabling development scheme on the land occupied by the Saltdean Tavern and adjoining car park. Both the local planning authority and English Heritage advised the lessee that they would only ever consider a very modest development of the site (see paragraph 3.2.10).
- 3.2.5 On 22 March 2012 the local planning authority issued a second warning letter and a schedule of works to be completed by the lessee. SLL's solicitor responded that his client did not consider the building to be at risk and that no substantial works are required for its proper preservation. The local planning authority is awaiting the outcome of the discussions by the council as landlord with the lessee prior to considering any further action.
- 3.2.6 If a Repairs Notice were to be served by the council as local planning authority, compulsory purchase proceedings may be commenced after a minimum of two months from the date of the Notice but a sufficient period of time would need to be allowed for the works to be carried out before proceeding with compulsory acquisition. Given the extent and scope of the works required in this case, and taking into account that much of the work would need to be undertaken in favourable weather conditions, a period of at least 6 months would be reasonable. However, this would need to be subject to continuous monitoring and review and if no progress were evident the local planning authority could commence compulsory purchase without further warning.
- 3.2.7 The Senior Planning Officer (Conservation) has held initial discussions with English Heritage on this matter. They have indicated that, in principle, they would support the local planning authority taking action under section 48 of the Act and that financial assistance (in the form of grant aid) may be available to the council towards acquisition, professional and legal costs. The amount of such grant aid would depend upon the regional funds available at the time of application.
- 3.2.8 It should be noted that the service of a notice under section 48 of the Act is an enforcement matter within the Planning Committee's remit. Any subsequent action under section 47 for compulsory purchase would require authorisation

by the Policy and Resources Committee. A compulsory purchase order would require confirmation by the Secretary of State and if the lessee disputes this a public inquiry would have to be held. Compensation would be payable to SLL and see the Part II report in this respect.

3.2.9 If the lease is surrendered back to the council, the maintenance responsibilities currently vested in SLL would, of course, revert to the council.

3.2.10 As explained in the appendices, the lessee undertook various pre-application discussions but did not submit any planning applications in respect of the Lido complex. The council as the local planning authority has been very clear with the lessee on the limitations and difficulties of achieving anything other than modest development of the site. English Heritage have specifically commented that the Lido's low-lying form, distinctive silhouette and unusual intactness, are likely to make anything more than very modest development in any position on the site harmful to the Lido's setting. In planning terms any development on this site that reduces areas of open space or parking is likely to be resisted and any modest development would require complementary leisure and recreational uses. There are also restrictive covenants on the site.

4. NEXT STEPS

4.1 If the negotiated surrender is agreed, as there is not a transfer of a going concern, it will not be possible to immediately open the gym and pools part of the Lido. At the handover of keys, officers will begin an immediate assessment of the feasibility of opening the facility in the short-term and the requirements for a procurement process for the long-term operation of the facility.

5. COMMUNITY ENGAGEMENT AND CONSULTATION

5.1 Prior to the mediation referred to at paragraph 3.1.2 of this report various meetings took place with the lessee and with SCA, Saltdean Residents Association, Save Saltdean Lido Campaign ("SSLC") and local ward members to discuss a range of issues on Saltdean Lido.

5.2 SSLC has previously indicated an aspiration to operate the Lido complex. However, it has been inappropriate for the council to actively seek an alternative operator of the Lido complex or actively engage with the SSLC whilst the legal agreement with SLL exists. If the recommendations in the Part II report are agreed, recommendation 2.3 of this report recommends that interim management arrangements are put in place as soon as possible by officers in consultation with the chair of the Economic Development & Culture Committee.

5.3 Thereafter the council will need to consider if it wants to do a marketing exercise for a property transaction or if it would prefer to remain in substantive control of the property and have a detailed service specification to be fulfilled in-house or by an appointed leisure services contractor. It is likely that the

Economic Development & Culture Committee will lead on the options appraisal, but given the property, legal and final implications, Policy & Resources Committee will need to approve the final way forward.

6. FINANCIAL & OTHER IMPLICATIONS

6.1 Financial Implications:

- 6.1.1 The financial implications arising from the recommendations are detailed in the Part II report.

Finance Officer Consulted: Michelle Herrington

Date: 29/05/12

6.2 Legal Implications:

- 6.2.1 As stated at above there are a number of issues which cannot be included in this public report as they remain confidential, due to legal privilege or commercially sensitivity.
- 6.2.2 The legal implications of this matter have been included in the main body of the report.

Lawyer Consulted: Bob Bruce, Principal Solicitor

Date: 29.05.12

6.3 Equalities Implications:

The council seeks to provide a range of opportunities for residents to participate in sport and community activities across the city.

6.4 Sustainability Implications:

The efficient operation and effective maintenance of the facility has implications for the long term sustainability of the Lido complex.

6.5 Crime & Disorder Implications:

There are no direct crime and disorder implications but the provision of sport and leisure opportunities can help to reduce anti-social behaviour.

6.6 Risk and Opportunity Management Implications:

As with any leased facility where the risk of operation has been transferred to the head lessee, there is a risk of non compliance with the terms of the lease.

6.7 Public Health Implications:

Opportunities to participate in sport and physical activity, community activities and access to a local library are all very important to the health and well being of the city's residents.

6.8 Corporate / Citywide Implications:

Saltdean Lido is an important recreation resource for the city.

7. **BRIEF REVIEW OF OPTIONS**

- 7.1 The length of the head lease is a key issue, in that a long lease gives greater security to the lessee and it is difficult for a landlord to be able to secure forfeiture of a 125 year lease through court action. The position is further complicated by the provisions regarding contributions to be made by the SCA.
- 7.2 There are 3 options – (a) seek compliance with the lease, (b) seek a negotiated surrender of the whole lease or part of the lease and (c) seek to take back the lease through forfeiture or compulsory purchase. Further discussion on the complex implications of these options can take place in Part II, but for immediate purposes brief information on these options is set out below.
- 7.3 Officers have been pursuing option (a), as evidenced by service of the notice referred to in paragraph 3.2.1. SSLC have expressed serious concerns about when the site is open and some health and safety issues. The opening hours issue was addressed by a proposed monitoring regime and all health and safety issues raised have been properly addressed by the council.
- 7.4 Option (b) entails seeking agreement with the lessee on the timing and extent of any surrender. Fragmented management or ownership of the Lido should be avoided and it is not considered appropriate for the council to take back just the pools area or part of the complex. There is clearly scope to seek agreement with the lessee about surrender of the whole lease and the key aspect will be the terms including any compensation provisions.
- 7.5 Option (c) is the last resort. Forfeiture proceedings are notoriously expensive and protracted and the court encourages landlords and tenants to settle their differences by agreement. Compulsory purchase may be a route, but is a local planning authority consideration linked to whether or not Planning Committee agree the service of a section 48 Notice and then whether or not that Notice is complied with. Compulsory purchase would require confirmation by the Secretary of State and he/she would need to be satisfied that proper steps were not being taken to preserve the building. It is likely that a public inquiry would be held.

8. **REASONS FOR REPORT RECOMMENDATIONS**

- 8.1 Saltdean Lido is a leased facility and therefore the position of the head lessee and council as freehold owner need to be recognised.
- 8.2 Saltdean Lido is a Grade 2* listed building on the Buildings at Risk Register. Therefore, it is important that the building is maintained to the appropriate standard so that it is removed from the register and operated to its full potential for the benefit of the community.

SUPPORTING DOCUMENTATION

Appendices:

1. Site Plan
2. Report and minutes of the CRTCOMM 6th December 2011
3. Report and minutes of the Cabinet Member Meeting of 6th March 2012

Documents in Members' Rooms

None

Background Documents

None



CULTURE RECREATION & TOURISM CABINET MEMBER MEETING

Agenda Item 40

Brighton & Hove City Council

Subject:	Operation of Saltdean Lido		
Date of Meeting:	6th December 2011		
Report of:	Strategic Director - Communities		
Lead Cabinet Member:	Culture, Recreation & Tourism		
Contact Officer:	Name:	Ian Shurrock	Tel: 29-2084
	Email:	ian.shurrock@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: 2	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT

- 1.1 The council is the freeholder of Saltdean Lido which is leased on a long lease to Power Fitness Ltd ("PFL") of 125 years, of which 111 years are remaining. PFL is the head lessee, with sub tenancies to Saltdean Community Association ("SCA") for the community centre and the council for the library. This report is being considered within the context of the council being the freehold owner of the Lido complex and therefore as the "superior landlord" of the property. The council also has statutory duties in respect of the property, from a planning perspective as the local planning authority and as the regulatory body for health and safety issues through Environmental Health.
- 1.2 Saltdean Lido is an important community facility with the community centre and library providing activities and services primarily to local residents. However, the Lido itself is the largest enclosed outdoor swimming facility for the city and therefore has a wider catchment area. In addition, health and fitness facilities are also provided within the Lido complex.
 - 1.2.1 At full Council on the 20th October 2011 a petition was presented and two Deputations received which, as indicated by items 33 and 35 on this agenda, led to the issues raised being referred to this Cabinet Member Meeting.
 - 1.2.2 A plan of the site is attached in appendix 1.

2. RECOMMENDATIONS

That the Cabinet Member for Culture, Recreation and Tourism:

- 2.1 notes the terms of the lease between the council as landlord and Power Fitness Limited ("PFL") as the head lessee which operates the Lido complex

and determines the action that can be taken by the council as landlord in respect of the facility;

- 2.2 notes that the council on 12th May 2010 served a notice under the lease requiring certain works to be carried out, that the lessee claims to have complied with that notice and that negotiations with the lessee in that regard are ongoing;
- 2.3 notes that the resolution of full Council at its meeting of 20th October 2011 includes reviewing the options available in relation to getting a resolution to the current impasse and the taking of early actions that would facilitate the repair and refurbishment of the Lido which do not prejudice the position of the Saltdean Community Association, who are tenants of PFL;
- 2.4 requests the local planning authority to consider whether or not action can be taken under sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- 2.5 approves the introduction of monitoring arrangements of the Lido pools during next season;
- 2.6.1 agrees that senior officers should continue to liaise with the local planning authority and seek a negotiated way forward with the lessee, including if satisfactory terms can be agreed, surrender of the head lease back to the council;
- 2.7 instructs officers to urgently seek a valuation of the Lido for surrender or compulsory purchase purposes; and
- 2.8 agrees that a further progress report should be brought to the next Culture Recreation & Tourism Cabinet Member Meeting unless a report can be taken sooner to Cabinet.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS

3.1 History & Lease Arrangements

- 3.1.1 The freehold of the Lido complex was purchased by Brighton Borough Council on 1st March 1962 from the receiver of the Saltdean Estate Company Limited, The purchase was subject to certain covenants including restrictions on the sale of alcohol. On 16th February 1976 the council granted a 28 year lease of part of the complex to the Trustees of the Saltdean Community Association ("SCA"), which required the building of a ground floor extension which was completed in 1980. At this time the Lido was occupied by (a) the Borough Council for the purpose of running the pool, (b) East Sussex County Council re: the library and (3) SCA who then as now ran the community centre. Saltdean Lido was listed as a grade II listed building on 13th July 1987. Upon

local government reorganisation in 1997 the ownership of Saltdean Library transferred from the County Council to the city council.

- 3.1.2 When managed by the council the pools made a loss and various proposals were raised but rejected in the 1980s, including privatisation and covering the pools to make it available for year round use. In April 1993 the running of the pools was licensed for one year to a local businessman. He lost over £20,000 and initially did not wish to continue without financial contribution from the council. However he persevered and broke even in 1994. After that arrangement came to an end, the council instructed external surveyors to market the property on a long lease. As a result of consultation by the council, the marketing stressed the listed building aspects and referred to the ongoing requirement for community facilities and local demand for a family pub/restaurant, which would entail release of the no alcohol restriction referred to in paragraph 3.1.1.
- 3.1.3 Over 120 expressions of interest were received, none of which were from community based groups, although a local group of residents, Saltdean Preservation Trust, did express an interest in the site after the preferred bidder had already been appointed. The chosen bid led to the setting up of Marlborough Leisure Limited (MLL), who were granted the head lease for the Lido complex on 1st December 1997 for a premium of £275,000, to be used to refurbish the Lido complex. MLL secured a release of the alcohol restriction by payment of an additional sum of money to the company with the benefit of the covenants, Chaucer Estates Limited. The lease premium was paid by Allied Domecq Leisure in return for a 125 year underlease from MLL of the public house to be built on land within the site adjacent to the Lido. The ground rent payable under the pub underlease to the lessee is £1000 p.a.
- 3.1.4 The library is leased back to the council for 125 years. No rent is payable but the council are liable under the lease to contribute to the repairs and maintenance to be carried out by the head lessee. It was originally proposed that MLL would grant a new underlease to SCA of the community centre. However as terms could not be agreed between MLL and SCA, primarily due to proposed service charge contributions, the headlease was granted subject to and with the benefit of the existing lease to SCA referred to in paragraph 3.1.1. SCA, the Council and the headlessee have over a period of time sought to agree the appropriate level of contributions payable by SCA to the headlessee and the Council's legal view is that the documentation provides for a 55% contribution.
- 3.1.5 On 15th August 2008 the head lessee served notice on SCA to terminate their underlease and replace it with a new lease. SCA made counter proposals and pending the outcome of either court proceedings or mediation the legal position is such that the terms of the original lease referred to in paragraph 3.1.1 remain in force, i.e. SCA are "holding over".
- 3.1.6 In August 1999 MLL changed its name to Saltdean Lido (Brighton) Limited and on 30th September 2004 the lease was transferred to Mr Dennis Audley.

The lease was subsequently transferred by Mr Audley to PFL on 7th July 2011, for whom Mr Audley is a director.

- 3.1.7 The lessee is required to open the Lido complex throughout the year and the pools during normal (unspecified) hours between 31st May and 1st September (subject to the exceptions set out at paragraph 3.3.2). The head lease is full repairing, although contributions are recoverable from SCA and the council as sub tenants. PFL is liable to pay all utility bills, subject to service charge recovery from the council (in respect of the library) and SCA (in respect of their part of the building). The actual running of the premises and its associated health and safety and environment issues are under the direct control of PFL.
- 3.1.8 SCA runs a thriving community centre which provides a wide range of activities with approximately 700 users per week. The community centre is a strong focal point for the local community and as well as a programme of regular activities, the centre is often used for functions and events. The library is open 3 days a week and is used by approximately 37,000 visitors per year. Saltdean Library is the second busiest community library in the city on a visits per hour basis.
- 3.1.9 There are a number of issues which cannot be included in this public report as they should remain confidential, due to legal privilege or they are commercially sensitive financial or business affairs. As these issues are under constant review a verbal update can be provided to members within a closed part II session, if required.

3.2 Condition of Building

- 3.2.1 On 12th May 2010 the council served a notice under the lease regarding aspects of disrepair. The lessee served a counter notice which means that no further action can be taken by the council without resorting to court. A Scott Schedule of the repairs required has been completed by a surveyor appointed by the lessee and this is being reviewed by a council appointed surveyor. This will identify those areas of repair that have been completed satisfactorily, those for which further work is agreed, and any that may be in dispute.
- 3.2.2 The building was put on the Building at Risk register on 19th October 2011. This register is used by English Heritage as part of its Heritage at Risk programme which was established “to identify historic assets that are at risk of being lost through neglect, decay or development or are vulnerable to becoming so”. The local planning authority’s position on the condition of the building is indicated in 4 below.

3.3 Opening of Lido

- 3.3.1 Concern has been expressed by the Save Saltdean Lido Campaign (“SSLC”) that the Lido pools are not available for swimming at times when the weather is suitable. There is provision in the lease for the Lido pools to be open as per paragraph 3.1.7 above.

3.3.2 There are exceptions to the requirement to open the pools that include “routine cleaning, maintenance, inclement weather, force majeure, or other reasons outside of the reasonable control of the lessee”. The head lessee has responded to the concerns by indicating the pools have been closed on occasion due to inclement weather.

3.3.3 Inclement weather is clearly not a precise term. However, given that a key aspect of the lease is the opening of the pools for swimming and in response to the concerns raised, it is proposed to implement a monitoring regime for the next summer season.

3.4 Possible Development of the Site

3.4.1 Although there have been pre-application discussions the lessee has not submitted any planning applications in respect of the Lido complex. However, the head lessee did hold a public exhibition of proposals last year and that acted as a catalyst for the formation of SSLC. The council as landlord would have to approve any development of the site. In addition, development would require planning permission and listed building consent and the council as the local planning authority has been very clear with the lessee on the limitations and difficulties of achieving anything other than modest development of the site. English Heritage have specifically commented that the Lido’s low-lying form, distinctive silhouette and unusual intactness, are likely to make anything more than very modest development in any position on the site harmful to the Lido’s setting. In planning terms (a) no convincing evidence has been submitted that a large scale development is necessary, (b) any development on this site that reduces areas of open space or parking is likely to be resisted and (c) any modest development should introduce complementary leisure and recreational uses to the site.

3.5 Different Operator of the Site

3.5.1 SSLC has indicated an aspiration to operate the Lido complex. However, as the council has a legal agreement with the head lessee, it would be inappropriate for the council to actively seek an alternative operator of the Lido complex while such a legal agreement exists. See section 7 as to the options available to the council.

4. THE LOCAL PLANNING AUTHORITY’S POSITION

4.1 The Lido was upgraded to Grade II* listing in March 2011 and in October 2011 English Heritage, as part of their annual update, added the building to their register of Buildings at Risk (BAR) at priority category C (on a scale of A to F where A is the worst). Buildings in category C are considered to show “slow decay; no solution agreed”. BAR is used by English Heritage to identify England’s historic assets that are at a risk of loss through neglect, decay or development or are vulnerable to becoming so. The council is due to update its own register of Buildings at Risk at the Planning, Employment, Economy &

Regeneration Cabinet Member Meeting of 22nd December and it is proposed that Saltdean Lido will be included. The inclusion of the Lido on the English Heritage register does not confer any additional powers on the council.

- 4.2 The council has the power under section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Act”) to serve a Repairs Notice on the owner of the building, as a preliminary to compulsory acquisition under section 47 of the Act. The minimum period allowed by the legislation between service of a Repairs Notice and commencement of compulsory acquisition is two months. Good practice advice on the service of Repairs Notices, as set out in the English Heritage publication ‘Stopping the Rot’, recommends that the local planning authority (LPA) send a written warning and a draft schedule of repairs to the owner before commencing statutory proceedings.
- 4.3 A Repairs Notice under section 48 of the Act must be confined to those works which are “reasonably necessary for the proper preservation of the building”. The term ‘proper preservation’ implies positive action to put and keep the building in good repair in a way which fully respects its special architectural or historic interest and to prevent it being exposed to harm. Guidance in Stopping the Rot states that “a Repairs Notice should be considered when a building is neglected and the need for permanent repair accumulates to the point where there is potential for serious harm”.
- 4.4 The Lido has recently been inspected by the council’s Heritage team on behalf of the LPA. As a result of that inspection it is considered that the condition of the Lido does meet these criteria. Although some works were carried out to the building in the Spring of 2011 and further works are in progress (in response the schedule of works served by the council as freeholder), it is considered that the works carried out are no more than cosmetic in nature, are not of a quality consistent with a the listed status of the building and have not addressed the underlying issues of disrepair. At best they may very temporarily arrest the building’s physical decline. They cannot be considered a permanent repair.
- 4.5 A Repairs Notice in respect of the Lido could be based upon the schedule of works already prepared by the council as freeholder but would be need to be amended to ensure that only works ‘for the proper preservation of the building’ were included. If a Repairs Notice were to be served a sufficient period of time would need to be allowed for the works to be carried out before proceeding with compulsory acquisition. Given the extent and scope of the works required in this case, and taking into account that much of the work will need to be undertaken in favourable weather conditions, a period of between 9 and 12 months would be reasonable (subject to review if no progress were to be evident).
- 4.6 The Senior Planning Officer (Conservation) has held initial discussions with English Heritage on this matter. They have indicated that, in principle, they would support the local planning authority taking action under section 48 of the Act and that financial assistance (in the form of grant aid) may be available to the council towards acquisition, professional and legal costs. The

amount of such grant aid would depend upon the regional funds available at the time of application.

- 4.7 It should be noted that the service of a notice under section 48 of the Act is not an executive function but rather an enforcement matter within the Planning Committee's remit.

5. COMMUNITY ENGAGEMENT AND CONSULTATION

- 5.1 Various meetings have taken place with the lessee and with SCA, Saltdean Residents Association, Save Saltdean Lido Campaign and local ward members to discuss a range of issues on Saltdean Lido. However, much of the detail of the matters discussed has not been set out in this Part I report so as to not compromise the various parties relationships with each other.

6. FINANCIAL & OTHER IMPLICATIONS

6.1 Financial Implications:

The financial implications arising from the recommendations of this report regarding officer time will be met from existing resources. However, there may be financial implications arising from subsequent proposals or actions that will need to be identified and reported back in due course.

Finance Officer Consulted: Michelle Herrington

Date: 24/11/11

6.2 Legal Implications:

- 6.2.1 As stated at paragraph 3.1.9 of this report there are a number of issues which cannot be included in this public report as they remain confidential, due to legal privilege or commercially sensitivity. If necessary confidential legal issues can be discussed in Part II of the meeting or be set out in a future Part II report once matters have moved on.

- 6.2.2 There is no quick or easy fix to a complex legal situation. The legal implications of this matter have been included in the main body of the report, particularly sections 3 and 7 and the explanation at paragraph 4.7 that service of a notice under section 48 of the Act is not a direct matter for this meeting and hence the wording at paragraphs 2.4 and 2.6.

Lawyer Consulted: Bob Bruce, Principal Solicitor

Date: 23/11/11

6.3 Equalities Implications:

The council seeks to provide a range of opportunities for residents to participate in sport and community activities across the city.

6.4 Sustainability Implications:

The efficient operation and effective maintenance of the facility has implications for the long term sustainability of the Lido complex.

6.5 Crime & Disorder Implications:

There are no direct crime and disorder implications but the provision of sport and leisure opportunities can help to reduce anti-social behaviour.

6.6 Risk and Opportunity Management Implications:

As with any leased facility where the risk of operation has been transferred to the head lessee, there is a risk of non compliance with the terms of the lease.

6.7 Public Health Implications:

Opportunities to participate in sport and physical activity, community activities and access to a local library are all very important to the health and well being of the city's residents.

6.8 Corporate / Citywide Implications:

Saltdean Lido is an important recreation resource for the city.

7. BRIEF EVALUATION OF OPTIONS

7.1 The overriding requirement of the council is to seek a vibrant, accessible, high quality facility that befits the status of the Lido as a key asset of both the local and wider city community.

7.2 The length of the head lease is a key issue, in that a long lease gives greater security to the lessee and it is difficult for a landlord to be able to secure forfeiture of a 125 year lease through court action. The position is further complicated by the provisions regarding contributions to be made by the SCA.

7.3 There are 3 options – (a) seek compliance with the lease, (b) seek a negotiated surrender of the whole lease or part of the lease and (c) seek to take back the lease through forfeiture or compulsory purchase. If necessary further discussion on the complex implications of these options can take place in Part II, but for immediate purposes brief information on these options is set out below.

7.4 Officers have been pursuing option (a), as evidenced by service of the notice referred to in paragraphs 2.2 and 3.2. SSLC have expressed serious concerns about when the site is open and some health and safety issues. The opening hours issue is addressed in section 3.3 of this report and all health and safety issues raised have been properly addressed by the council.

- 7.5 Option (b) entails seeking agreement with the lessee on the timing and extent of any surrender. Fragmented management or ownership of the Lido should be avoided and it is not considered appropriate for the council to take back just the pools area or part of the complex. There is clearly scope to seek agreement with the lessee about surrender of the whole lease and the key aspect will be the terms including any compensation provisions. The valuation referred to in paragraph 2.7 will be key to the full evaluation of this option.
- 7.6 Option (c) is the last resort. Forfeiture proceedings are notoriously expensive and protracted and the court encourages landlords and tenants to settle their differences by agreement. Compulsory purchase may be a route, but is a local planning authority consideration linked to whether or not Planning Committee agree the service of a section 48 Notice and then whether or not that Notice is complied with.

8. REASONS FOR REPORT RECOMMENDATIONS

- 8.1 Saltdean Lido is a leased facility and therefore the responsibilities of the head lessee and council as freehold owner need to be recognised.
- 8.2 Saltdean Lido is a Grade 2* listed building on the Buildings at Risk Register. Therefore, it is important that the building is maintained to the appropriate standard so that it is removed from the register.
- 8.3 A key provision within the lease is the opening of the lido pool during the summer season. Therefore, it is important that the council is clear that compliance with the terms of the lease on this issue is being met.

SUPPORTING DOCUMENTATION

Appendices:

1. Site Plan

Documents in Members' Rooms

1. None

Background Documents

1. None

BRIGHTON & HOVE CITY COUNCIL
CULTURE, RECREATION & TOURISM CABINET MEMBER MEETING

4.00pm 6 DECEMBER 2011

COUNCIL CHAMBER, HOVE TOWN HALL

Present: Councillor Bowden (Cabinet Member)

Also in attendance: Councillor: Brown, Spokesperson, Conservative Party and Councillor Fitch, Opposition Spokesperson, Brighton Labour and Co-operative Party

Minute Extract

40. OPERATION OF SALTEAN LIDO

- 40.1 The Cabinet Member considered a report of the Strategic Director, Communities detailing issues in relation to the operation of Saltdean Lido. At full Council on 20 October 2011 a petition had been presented and two deputations received which had been received at items 33 and 36 on that days agenda and had led to the issues raised being referred to the Cabinet Member Meeting. The Cabinet Member stated that he had agreed to permit individuals representing interested parties to speak for a period not exceeding three minutes in order to give their perspective. He understood that the issues were complex and were potentially emotive. However, he urged all parties to treat each other with respect.
- 40.2 Before proceeding to consideration of the report each of the following spoke in respect of Saltdean Lido. It was noted that the lessee Mr Audley, on behalf of the lessee company, had been invited to attend that day's meeting but had been unable to attend and had circulated a note which had been circulated in his absence and would be appended to the approved minutes.

Councillor David Smith

- 40.3 Councillor Smith spoke in his capacity as a Local Ward Councillor also on behalf of his ward colleague Councillor Mears. He was aware of the on-going discussions which had taken place since 2002. During that time notwithstanding that the Council had made it clear that the site should be retained for sporting and community use the lessee had repeatedly failed to maintain the building to and to honour the terms of the lease. This matter

needed to be progressed as a matter of urgency .If negotiations could not be successfully concluded with the lessee he urged that action should be taken by the Planning Committee under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Ms Rebecca Crook, “Save Saltdean Lido”

- 40.4 Ms Crook spoke on behalf of “Save Saltdean Lido Campaign”, She explained that this unique listed building of its period, was now on the English Heritage “Buildings at Risk” Register. A meeting had been held the previous Sunday attended by 250 people all of whom had expressed support for urgent measures to protect and preserve the designated use of the building. The level of affection and support for the building was evidenced by the fact that the recent petition to the Council had contained the largest number of signatures ever. There was a tremendous sense of frustration that the Council had been unable to progress the matter more rapidly and there was now a tremendous sense of urgency to progress improvements and to ensure that the Lido was open for the requisite number of days each year.
- 40.5 The “Save Saltdean Lido” team had devised a robust and viable business plan for operation of the Lido and would be happy to enter into detailed discussions with the Council to that end. Mr Audley, on behalf of the lessee was not present that day and to them that spoke volumes. There was a need for urgent action and it was disappointing that a further delay was likely if a further report would not be brought before the cabinet member until the next scheduled cabinet member meeting in March 2012.

Mr L O’Connor, Saltdean Resident’s Association

- 40.6 Spoke on behalf of members of Saltdean Residents Association. The Head Lessee had repeatedly flouted their obligations in terms of maintenance of this facility for a long time and urgent action was required. The various options to the Council were noted and in the event that all else failed their preference would be for the building to be compulsorily purchased.

Mrs L Lee, Saltdean Community Association

- 40.7 Mrs Lee spoke on behalf of the Saltdean Community Association. Whilst in agreement that the matter needed to be progressed she was also aware of the legal processes which needed to be observed. Regular weekly events took place at the Lido with use for other occasional events as well. The SCA had limited financial means at their disposal but had nonetheless been instrumental in helping to keep the Lido in use. Feelings were running very high and the views put by representatives of “Save Saltdean Lido” were not the only ones which needed to be considered. Some members of the Community Association had been subjected to considerable personal unpleasantness and this was regrettable as all local groups and those representing the wider community had a common interest and goal.

- 40.8 The Saltdean Community Association wished to facilitate and support an early and appropriate resolution of the current problems.

Discussion and Debate

- 40.9 The Cabinet Member noted all that had been said, also noting that the building and the resource which it provided was treasured by many and considered it important that the local community groups worked together rather than in competition with one another.
- 40.10 The Head of Planning Strategy explained the context of the buildings inclusion on the “Buildings at Risk” register and the time frame for any action being taken under planning legislation. It was important that the building was maintained to the appropriate standard so that it could then be removed from the register. However, whilst compulsory purchase might be a route it was a local planning authority consideration linked to whether or not the Planning Committee agreed to the service of a Section 48 Notice and then whether or not the Notice was complied with. This was a relatively lengthy process in view of the timeframes for compliance which were built into it.
- 40.11 The Principal Solicitor clarified that the length of the head lease was a key issue in that a long lease gave greater security to the head lessee and it was difficult for a landlord to secure forfeiture of a 125 year lease through court action. The position was further complicated by the provisions regarding contributions to be made by the Saltdean Community Association. The 3 options available to the Council were (a) to seek compliance with the lease, (b) to seek a negotiated surrender of the whole lease or part of the lease and (c) to seek to take back the lease through forfeiture or compulsory purchase. Option C represented the last resort as forfeiture proceedings were expensive and protracted and the court encouraged landlords and tenants to settle their differences by agreement. There was no quick or easy fix to this complex legal situation.
- 40.12 Councillor Fitch expressed concern at the potential further delay which might occur if a report was not put to Planning Committee at the earliest possible time seeking their agreement to service of a notice under section 48 of the Planning Act. Councillor Fitch requested the Cabinet Member to consider authorising such action at that day’s meeting. The Cabinet Member stated however that he was mindful of the advice given by officers, both in the report before him and also orally at the meeting. Considerable action had already been taken by the Council and it was important to take the appropriate action in a structured and methodical way. The Council was anxious for progress to be achieved, however it needed to be recognised that this would not be a rapid process. There would be no undue delay as a further report would be submitted to the next scheduled Cabinet Member Meeting on 6 March 2012 . He was therefore minded to agree the recommendations as set out in the report.

- 40.13 **RESOLVED –**

- (1) That the Cabinet Member for Culture, Recreation and Tourism notes the terms of the lease between the council as landlord and Power Fitness Limited ("PFL") as the head lessee which operates the Lido complex and determines the action that can be taken by the council as landlord in respect of the facility;
- (2) notes that the council on 12th May 2010 served a notice under the lease requiring certain works to be carried out, that the lessee claims to have complied with that notice and that negotiations with the lessee in that regard are ongoing;
- (3) notes that the resolution of full Council at its meeting of 20th October 2011 includes reviewing the options available in relation to getting a resolution to the current impasse and the taking of early actions that would facilitate the repair and refurbishment of the Lido which do not prejudice the position of the Saltdean Community Association, who are tenants of PFL;
- (4) requests the local planning authority to consider whether or not action can be taken under sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- (5) approves the introduction of monitoring arrangements of the Lido pools during next season;
- (6) agrees that senior officers should continue to liaise with the local planning authority and seek a negotiated way forward with the lessee, including if satisfactory terms can be agreed, surrender of the head lease back to the council;
- (7) instructs officers to urgently seek a valuation of the Lido for surrender or compulsory purchase purposes; and
- (8) agrees that a further progress report should be brought to the next Culture Recreation & Tourism Cabinet Member Meeting unless a report can be taken sooner to Cabinet.

CULTURE, RECREATION & TOURISM CABINET MEMBER MEETING

Agenda Item 73

Brighton & Hove City Council

Subject:	Operation of Saltdean Lido		
Date of Meeting:	6th March 2012		
Report of:	Strategic Director - Communities		
Lead Cabinet Member:	Culture, Recreation & Tourism		
Contact Officer:	Name:	Ian Shurrock	Tel: 29-2084
	Email:	ian.shurrock@brighton-hove.gov.uk	
Key Decision:	No		
Ward(s) affected:	Rottingdean Coastal		

FOR GENERAL RELEASE/ EXEMPTIONS

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report is an update on the progress made on the recommendations approved at the Cabinet Member Meeting on 6th December 2011 on the operation of Saltdean Lido.
- 1.2 Saltdean Lido is an important community facility including a library and community centre as well as the Lido outdoor swimming pool and health & fitness facilities.

2. RECOMMENDATIONS:

That the Cabinet Member for Culture, Recreation and Tourism:

- 2.1 Notes that the head lessee has agreed to have without prejudice negotiations regarding the possible surrender of the lease.
- 2.2 Notes that an external Valuer has produced a valuation of the Lido for surrender and/or compulsory purchase purposes.
- 2.3 Notes that liaison with Saltdean Community Association (SCA) has been on-going, as, in accordance with the Full Council resolution, actions undertaken by the council are with a view to not prejudicing the position of the SCA.
- 2.4 Notes that the local planning authority is considering the position under sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as referred to in section 4 of this report.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 History & Lease Arrangements

- 3.1.1 The history and lease arrangements were outlined in detail in the report to the 6th December Cabinet Member Meeting and will therefore not be repeated in this report. However, due to the complex arrangements in relation to the Lido, it is important that this report is not considered in isolation, as it is an update on progress since the December report.

3.2 Condition of Building

- 3.2.1 On 12th May 2010 the council served a notice under the lease regarding aspects of repair. The lessee has previously purported to have complied with that notice and the company's lawyers have claimed that the lessee does not need to deal with the issue of repairs referred to in the notice any further - on the grounds that the notice is defective. This is not the council's view, but in any event the issue of the condition of the building is now being considered by the local planning authority whose update appears in section 4 of this report.

3.3 Negotiated surrender of the lease

- 3.3.1 The lessee has agreed to the request to commence negotiations to see if surrender of the lease is possible. Fragmented management or ownership of the Lido should be avoided and it is not considered appropriate for the council to take back just the pools area or part of the complex. There is scope to seek agreement with the lessee about surrender of the whole lease, but the key aspect will be the terms including any compensation provisions.

4. THE LOCAL PLANNING AUTHORITY'S POSITION

- 4.1 The local planning authority has appointed a surveyor to advise on the works that would be necessary for the proper preservation of the listed building. A first stage warning letter has been sent to the head lessee expressing concern over the condition of the building and advising him of the council's powers to serve a Repairs Notice under section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the powers to compulsory purchase the building lease under section 47 of that Act if such a Notice is not complied with. The head lessee was further advised that the use of these powers is being actively considered in this case. The Lido has been inspected by a conservation officer from the Heritage team together with the appointed surveyor and a schedule of works is being drawn up.
- 4.2 In the meantime a maintenance plan has been proposed by the lessee to the local planning authority, with a view to removing it from the At Risk Register. Subject to the local planning authority's view on the information provided, the

detailed schedule of works will be sent to the head lessee with a second stage warning letter. A verbal update will be provided at the meeting.

5. COMMUNITY ENGAGEMENT AND CONSULTATION

- 5.1 Meetings have been held with local ward councillors, Saltdean Community Association, Save Saltdean Lido Campaign and the lessee.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 The financial implications arising from any future proposals or actions will need to be identified and reported to the appropriate council meeting in due course.

Finance Officer Consulted: Michelle Herrington

Date: 21/02/12

Legal Implications:

- 6.2 A full valuation report was received on 27th February. That report will be shared with the head lessee and will be a key part of the negotiations to see if surrender of the leases can be agreed. An oral update will be given at the meeting, which may involve going into Part II confidential session. Given the public interest, a version of the report will be put on the council's website for information.

Lawyer Consulted: Bob Bruce

Date: 27/02/12

Equalities Implications:

- 6.3 The council seeks to provide a range of opportunities for residents to participate in sport and community activities across the city.

Sustainability Implications:

- 6.4 The efficient operation and effective maintenance of the facilities has implications for the long term sustainability of the Lido complex.

Crime & Disorder Implications:

- 6.5 There are no direct crime and disorder implications but the provision of sport and leisure opportunities can help to reduce anti-social behaviour.

Risk and Opportunity Management Implications:

- 6.6 As with any leased facility where the risk of operation has been transferred to the head lessee, there is a risk of non compliance with the terms of the lease.

Public Health Implications:

- 6.7 Opportunities to participate in sport and physical activity, community activities and access to a local library are all very important to the health and well-being of the city's residents.

6.8 Corporate / Citywide Implications:

Saltdean Lido is an important recreation resource for the city.

7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 7.1 As indicated in the December 2011 report, there are 3 options – (a) seek compliance with the lease, (b) seek a negotiated surrender of the whole lease or part of the lease and (c) seek to take back the lease through forfeiture or compulsory purchase.
- 7.2 Option (b) is now being pursued with the lessee as per 3.3 but greater focus may return to Option (a) if a negotiated surrender cannot be achieved. Option (c) still remains as the last resort.

8. REASONS FOR REPORT RECOMMENDATIONS

- 8.1 The issues in relation to the operation of Saltdean Lido are complex and there is not a simple and easy resolution to the matter. Therefore, this report is an update on the progress on a range of actions agreed in December 2011 which are on-going.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. Report to the Cabinet Member Meeting on 6th December 2011.

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 8

Brighton & Hove City
Council

Subject: Royal Pavilion & Museums Catering Review
Date of Meeting: 21 June 2012
Report of: Strategic Director Communities
Contact Officer: Name: Janita Bagshawe Tel: (29)2840
E-mail: Janita.bagshawe@brighton-hove.gov.uk
Key Decision: Yes/No
Wards Affected: All

FOR GENERAL RELEASE/ EXEMPTIONS

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To set out the current position of catering provision across Royal Pavilion & Museums (RPM) and recommendations for future business development to maximise income for maintaining and developing the RPM service.

2. RECOMMENDATIONS:

- 2.1 To approve the seeking of tenders in respect of all catering provision for RPM under contractual arrangements which will subsist for a period of five years with an option to extend for up to a further two years.
- 2.2 To authorise the Strategic Director, Communities to consider and determine, with a view to driving efficiencies and value for money:
- how the tendered opportunities should be packaged eg. whether there should be division into lots;
 - whether the tender should take place jointly with Brighton Dome and Festival Ltd (BDFL) and if so, how best to structure the tender/ contractual arrangement.
- 2.3 To authorise the Strategic Director, Communities to accept tender(s) in accordance with officer recommendations following the tendering exercise and to approve the award of contract(s) accordingly.
- 2.4 To approve the use of external catering expertise in visitor attraction/venue market to assist with the tender process.
- 2.5 To note that a report on the result of the tendering process will be brought to Policy and Resources Committee for agreement.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 Current Catering Provision

Across the Royal Pavilion & Museums public catering arrangements have evolved on an ad-hoc basis as licence arrangements for each venue have arisen.

- The Royal Pavilion Tearoom was run by Ecovert South Ltd until the contract expired in 2004. A contract for tearoom services was then tendered but no suitable contractor was found. Therefore, in order to ensure continuity of this visitor service, the decision was taken to appoint an in-house catering team. A number of Ecovert staff were TUPE transferred to the in-house catering team. (Policy & Resources Committee 2004 – Royal Pavilion Catering, The Queen Adelaide Tearoom)
- The Gallery Café at Brighton Museum was tendered when the Museum re-opened in 2002 following major re-development. 'We Are Delicious' (formally the 'Delicious Food Company') won the contract. Their current contract expired in April 2012, though an extension of lease has been mutually agreed until January 2013 whilst the Council considers options. The operator pays a concession of 8% pa
- Hove Museum Tearoom was tendered when the Museum re-opened in 2003 following redevelopment. 'The 'Delicious Food Company' was awarded the contract and continued to operate there until November 2007 when the company pulled out of the contract. At that point, the decision was taken to re-open the Tearoom as soon as possible using the in-house catering team based at the Royal Pavilion.
- For functions and hires, Royal Pavilion & Museums use caterers from an approved list. This approved list is now due for re-tendering.
- Brighton Dome Festival Ltd (BDFL) operate a similar system of approved caterers for functions. A number of caterers on the BDFL approved list are also on the RPM Approved list.
- BDFL run the bar service in-house and since February 2011 have been opening the foyer bar during the day offering a selection of teas, coffees and cakes. The doors between Brighton Museum and the Dome are open, giving Museum customers the opportunity to use the café and encouraging café customers to visit the Museum

3.2 Current Catering Business Performance

- 3.2.1 The table below sets out sales net of VAT and overall net income achieved after costs since 2008/9.
- 3.2.2 Key points from the table are:
- 3.2.3 Losses at Hove Museum in 2008/9 are partly accounted for by initial set up costs of the in-house operation. However, it has since continued to operate at a loss.
- 3.2.4 The Royal Pavilion had begun to return a marginal profit although this diminished in 2011/12 with increases in staffing and goods for resale costs.

3.2.5 Concession income from the Gallery Café and Functions catering has increased marginally.

Overall, it is clear that the return from the catering business is poor. (See appendix 1 for break down of visitor numbers and tea room users). This is particularly challenging because catering services in almost all heritage environments are there to generate income. In Brighton & Hove at the moment, catering actually adds a budget pressure for the organisation with the losses offset by the improvements in admissions income.

	2008/09	2009/10	2010/11	2011/12
	NET INCOME £,000	NET INCOME £,000	NET INCOME £,000	NET INCOME £,000
Royal Pavilion Tea Room	-14	4	8	-11
Hove Museum Tea Room	-47	-9	-24	-21
Gallery Café Brighton (commission)	7	7	11	13
Functions catering (commission)	3	3	5	3
total income	-51	5	0	-16
Net income target	43	51	37	39
profit /loss	-94	-46	-37	-55

3.2.6 RPM is responsible for all maintenance and replacement of equipment, as well as energy costs, of the in-house operations and existing contracts for Brighton Gallery Café and functions. This represents a considerable financial outlay because equipment in all the kitchens is out-dated and limited budgets are available for emergency repairs and replacement. There are no budgets for planned renewals and investment. Emergency replacement costs totalled £4,000 in 2010/11 and £5,000 in 2011/12.

3.3 2011 Catering Review

3.3.1 In September 2011, with funding from the national body Museums Libraries & Archives Council (MLA) under a programme called Renaissance in the Regions and the institutional transformation strand, and as part of RPM and BDFL's on-going partnership work, RPM embarked on a joint catering review with BDFL and appointed a consultant for that purpose. This was the first time the combined catering strands at RPM have been strategically reviewed. The terms of reference were:

- Assess current offer, facilities and performance

- Research and analyse the current food and drinks market in Brighton and Hove to help identify trends, target customer groups and competitors etc
 - Generate and assess options for future catering provision to generate the best model for future operations (e.g. joint venture, independent models, in-house versus outsourcing models, etc)
 - Develop a business case for the preferred model indicating levels of investment required and the return on that investment
- 3.3.2 After a competitive tender, the consultancy contract was awarded to Turpin Smale. Their recent clients have included The Natural History Museum, The Museum of London and Historic Royal Palaces, The Royal Society for the Arts, Birmingham Rep and Birmingham City Council on a joint redevelopment, Fulham Palace and the Royal Albert Hall.
- 3.3.3 The review for BDFL & RPM was completed in December 2011. The report is commercially sensitive containing financial information relating to BDFL. A copy of the Final Review can be made available to Members on request. Key findings and recommendations relating to RPM are outlined below.

3.4 Key Findings and Recommendations

- 3.4.1 The review found that the Royal Pavilion catering income falls well below the industry norms for visitor attractions, achieving in 2010/11 a spend per visitor of 54p. A major visitor attraction should expect in the region of £1. Part of the reason for this serious underperformance relates directly to the constraints of the building - the Tearoom is on the first floor, with no street access allowing for non-visitor custom. It is also sited in the middle of the visit as opposed to the end of the visit which, in general, visitors prefer. There is no lift in this part of the building which means no access to visitors using wheelchairs, for example.
- 3.4.2 In view of these serious impediments to generating a reasonable income, the review recommended exploring the potential of an additional on-street catering facility in part of the current retail/Visitor Information Centre (VIC) space. This would require an investment of approximately £85-100k to improve visibility and access for everyone, including those visitors who use wheelchairs, for example. This opportunity fits with Council budget papers from December 2011 that indicated that the Visitor Information Service will be altered in the budget year 2013/14 and re-provided to meet visitor needs at a lower cost to the authority. This will allow for the vacation of the existing premises and permit alternative uses relating to catering. While the options and work on the visitor information service is ongoing it is not expected that changes will be implemented until autumn 2013. The work on re-providing the visitor information service is on schedule, with options being developed, informal staff and partner discussions are also taking place'

- 3.4.3 At Hove Museum, sales have dropped since the catering has been taken in-house, partly due to falling visitor numbers which have now been reversed. However, the review acknowledged that it is difficult to make a café profitable, with a low level of sales and an associated labour cost nearly as high as the sales. In view of this, the review noted that it is not surprising that a £24k loss was recorded in 2010/11. However, the Museum has a strong children's programme which could be used to drive additional business in the café, and the review suggested extending into another room within the building and/or developing external decking and a play area to build the market. Investment required would be in the region of £50k.
- 3.4.3 At the Brighton Museum Gallery Café, the review was complimentary about the current offer. However, it felt that sales were constrained by the seating capacity of the café. It recommended investment in a kiosk offer in Brighton Museum foyer. Investment required would be in the region of £20k.
- 3.4.4 In terms of functions, the review found that, even allowing for the competitiveness of the Brighton market, the level of catering concession income generated from external caterers was low at 8% of catering profit per event, compared to an industry norm of 10%. It recommended consideration should be given to a closer working relationship with BDFL on the marketing, sales and packaging of the rooms across the Royal Pavilion estate for mutual benefit. It also recommended that caterers licensed to work on the estate should be required to introduce a certain amount of business in terms of room hire from their own sales contacts as part of their terms of contract.
- 3.4.5 The report set out a series of operational proposals in three broad stages:
- Immediate: can be implemented quickly with relatively small additional cost, but should have a positive impact on sales/profitability; work has already begun to address some of these issues, particularly around the review of menu options and signage within buildings;
 - Medium-term: will involve some significant changes to facilities and services, with some expenditure;
 - Long-term: involving major changes to spaces, facilities and services, with substantial expenditure

Both the medium and long-term recommendations require significant investment and whilst two areas of the business continue to be operated in-house, the return on investment would be limited, as laid out in Item 6 - Evaluation and Options Appraisal below.

- 3.4.6 The key recommendation of the report is that RPM & BDFL look at jointly tendering all of the day-to-day and functions catering to achieve maximum economies of scale, maximum income and to secure a contractor who is willing to invest in the business. It is advised that the

tender should be structured so that organisations can tender for all of the business, for individual outlets or for groups of outlets. Only when the tenders are received would it be possible to select the tender(s) that best meet the long-term requirements of organisations and their visitors, guests and customers. The evaluation would take account of both the financial and qualitative factors that make up a successful catering business. The new contract would run for 5 years with an option to extend for up to two years.

3.5 Other Considerations

3.5.1 RPM has four staff on permanent contracts, who would be subject to TUPE arrangements. There are limited career opportunities at present for catering staff within the museum/council organisations. The benefits of working for a specialist catering contractor would include broader training and development and improved opportunity for career progression.

3.5.2 Virtually no large museum services or historic attractions run in-house catering businesses, as they are difficult to operate effectively and can involve a lot of special arrangements. Most comparator services have found their strengths to be a focus on their core activities and harnessing external expertise to drive the catering specialism. To meet the demand for catering within the sector, a considerable number of specialist catering contractors have grown over the past decade. The main advantage of such an approach is that the financial and qualitative outcomes are more predictable without the host organisation having to employ specialists or becoming involved in the very time consuming minutiae of catering. A specialist contractor has the advantage of improved buying power, sector knowledge, the ability to attract skilled expertise, access to investment funding and commercial drive to improve the profitability.

The exceptions to museums and historic houses outsourcing tend to be when the business is too small and cannot be made profitable to a contract caterer, or if it is a very large organisation and can support a good in-house management/support structure to operate it effectively. One of the few examples of this is the Tate, but their catering operation is on a much bigger scale than will ever be required in Brighton & Hove.

3.5.3 As both BDFL and RPM management teams lack specialist catering knowledge and experience in a complex tender for visitor attraction/venue market, it is recommended that Turpin Smale be utilised again. They are now familiar with both organisations' operational needs, alongside corporate procurement and legal services, and will help to ensure that all issues around joint tendering/contracting (if deemed appropriate), structure of tender, selection criteria, Key Performance Indicators and monitoring procedures are effectively addressed. Although this will cost a certain sum, it is very likely that this will be recouped from the resulting contract or contracts that will be secured.

- 3.5.4 If the Committee agrees to these proposals, the proposed timetable for tendering and appointment of contractors is as follows

Briefing/Strategy/Evaluation Criteria	June
Advertisement	July
Pre-qualification questionnaires returned	July
Select Contractors	July
Finalise Tender Documents	July
Invitation to Tender issued	August
Tenderers' Briefing & Walk Round	August
Tender Return Deadline	October
Initial Evaluation Report	October
Presentation by Leading Bidders	October
Contract Award	November
Services commence	January

- 3.5.5 Both Brighton & Hove City Council's RPM and BDFL are committed to supporting the local economy and sourcing products from local suppliers and this commitment would be reflected in tender documentation.

- 3.5.6 Tenders will be considered from any form of bidding arrangement including - a social enterprise, a community interest company or a co-operative. [Independent support can be made available should staff wish to bid as a social enterprise.](#) The out come of the tender process will be brought to a future Policy and Resources Committee for agreement.

4. **CONSULTATION**

Discussions have begun with Trade Unions and the four members of permanent contracted staff working at the Royal Pavilion and Hove Museum regarding the likelihood of TUPE transfers. The Trade Unions and individual staff will continue to be consulted and kept informed throughout the tendering process.

5. **FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

- 5.1 The 2012/13 budgets for these services amount to a target net surplus of £43k. However, there is an on-going forecast pressure of £55k should services remain unchanged from 2011/12, as detailed in paragraph 3.2.1

Based on the findings of Turpin Smale, it is estimated that by tendering the catering services, a net surplus of £69k to £190k per annum could be generated depending on whether the tender exercise was B&HCC

alone or jointly with BDFL. Compared to the current target budget of £43k surplus, this would provide an additional £26k to £147k pa. An increase in room hire income as a result of improved catering provision is also expected, amounting to approximately £39k per annum. The figures are based on a full year effect of the proposals and may require the relocation of the Visitor Information Centre.

Assuming these proposals were implemented with effect from January 2013, it is estimated that after allowing for initial costs, there would be a reduced pressure of approximately £20k in 2012/13 which would be managed within existing resources. With effect from 2013/14, it is estimated there would be a net surplus in excess of £26k, depending on the outcome of the tender process. This would enable the service to reduce the pressure for 2012/13 and ensure it makes a net contribution to service costs in future years.

The re-location of the VIC is already included in the budget strategy for 2013/14 and would be dealt with as a separate issue.

Finance Officer Consulted: Michelle Herrington date: 8.6.12

Legal Implications:

- 5.2 Depending upon how the offer is structured, the tender will be for the provision of catering services or for the granting of catering concessions or a mixture of both. Catering services are categorised as Part B services for the purposes of the Public Contracts Regulations 2006 and are not therefore subject to the full rigours of the procedural requirements contained in those regulations. Service concessions are exempt from the regulations. However, in both cases the Council must adhere to EU treaty principles of equal treatment and transparency in tendering and contracting.

TUPE will apply to some members of staff and the procurement timetable and process will need to allow for appropriate consultation.

Lawyer consulted: Sonia Likhari date: 21.5 2012

Equalities Implications:

- 5.3 In framing the specification, care must be taken to ensure that adequate provision is made for special dietary needs related to health and to ideological or religious observance. The terms of the contract tendering process will require potential service providers to demonstrate that they have policies in place to ensure that staff and customers are treated in such a way as to support their rights in equalities legislation.

The option of providing a second catering outlet in the Royal Pavilion on the ground floor with street access will significantly improve accessibility for visitors. The current first floor tearoom is inaccessible for visitors with mobility difficulties.

Sustainability Implications:

- 5.4 Commercial services at RPM exist to generate income in order to contribute towards the costs of the provision of core services. If the current catering provision for RPM is not addressed to enable it to generate more income and overcome its losses, the service to the public is placed at risk.

Sustainability issues will be addressed in the Pre Qualification Questionnaire and service specification documents. The specification and evaluation criteria will include reference to local and sustainable sourcing including food miles, food provenance and the use of seasonal ingredients and food produced using sustainable practices.

Crime & Disorder Implications:

- 5.5 None

Risk & Opportunity Management Implications:

- 5.6 Failure to address current catering provision will jeopardise the service's ability to meet income targets and efficiency savings.

Corporate / Citywide Implications:

- 5.7 The Royal Pavilion & Museums play a vital role in the cultural, learning and economic life of the city, and its visitor offer. Commercial income is essential to the business case for running these services.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 An options appraisal was conducted as part of the Catering Review

6.2 Options Financial Summary

	Option 1	Option 2	Option 3a RPM Outsource alone - no street access Pavilion tearoom	Option 3b RPM Outsource alone with street access Pavilion tearoom	Option 4 Outsource with BDFL
	As now with operational improvements	As now with investment			
	£000	£000	£000	£000	£000
Current achievement to income target	-55	-55	-55	-55	-55
Income improvement	12	48	69	110	190
Investment payback	0	32	0	0	0
Achievement to target	-43	-39	14	55	135

6.3 Option 1: Continue as now with operational improvements

The current mix of in-house and contracted arrangements for RPM could continue as is. The catering review set out a number of short-term operational proposals for the in-house catering, such as menu changes, overhaul of kitchen and storage areas and extending café's

seating into a second space at Hove Museum. The business model predicts £12k increase in income on current levels as a result of these. For 2011/12 combined catering made a net £16K loss although the budget target was a £39k profit, the result to the service is a £55k income pressure. A £12k increase in profitability would not mean that catering achieves its income target. It would only reduce the income target pressure to £43k.

6.4 Option 2: Continue as now with operational improvements and investment

The current mix of in-house and contracted arrangements for RPM could continue as is with investment to allow for potential for business growth. The existing Royal Pavilion Tearoom looks 'tired' and would benefit from a new counter and furniture. The possible move of the VIC provides opportunity of development of catering offer with street access in part of the existing Pavilion retail space. Hove Museum & Art Gallery would benefit in investment in a decked outdoor seating area and improved counter display. Brighton Museum & Art Gallery also presents opportunity for a foyer kiosk offer. Total investment required is estimated at £160-£175k, however, the expected improvement in income in the year following such investment would be £48K above current levels.

For 2011/12, combined catering made a net £16k loss although the budget target was a £39k profit, the result to the service is a £55k income pressure. A £48k increase in profitability would result in achieving £7k loss against target. A capital investment of £160-£175k paid back over 5 years would be approximately £32-35k a year at the lower level pushing the business further into net loss of in excess of £32k pa. This does not make financial sense for an operation which is supposed to generate income for the service.

6.5 Option 3: RPM outsourcing alone

3a As the Brighton Museum Gallery Cafe contract and approved caterers list are now due for re-tendering, there is an opportunity to tender all catering functions to maximise possible efficiencies and economies of scale for potential contractors. Hove Museum Tearoom is not viable on its own, so would need to be linked to the Royal Pavilion. As part of a five year contract, the expectation is that a specialist contractor would aim to improve performance by approximately 20 %. With combined sales from the Royal Pavilion, Brighton Museum, Functions and Hove projected at approximately £690,000 this would be an attractive package. Even with an expectation on the successful caterer to commit to investment in Brighton Museum, Hove Museum and the existing Royal Pavilion tearooms. Based on the current £55k budget pressure, this would provide the service with an additional £14K over and above income target and remove the service's liability for equipment replacement and catering related energy costs.

3b If the contract was widened to include a new Tearoom with street access at the Pavilion, whilst there is a good business case for the investment, the number of caterers able to tender with the level of investment would be more limited. As part of a five year contract, with

the new outlet as well as existing outlets the level of business could be in the region of £1.1million. The expected commission would be 10% i.e. £110k. Based on the current £55k budget pressure, this would provide the service with an additional £55k over and above income target and remove the service's liability for equipment replacement and catering related energy costs.

6.6 Option 4: RPM outsourcing with BDFL

The size of this business opportunity will attract caterers with the ability to invest in capital improvements, including the recommendation for a new Tearoom with a street entrance in the Pavilion Shop/VIC space. The scale of business would amount to in excess of £3million pa across all sites and as such BDFL and RPM could expect a concession in the region of 17-18%. Even with investment required for the Royal Pavilion, on this level of business the higher concessions would realise in the region of £190k pa based on current levels. Based on the current budget pressure, this would provide an additional £135k of income over and above the current income target as well as removing the service's liability for equipment replacement and catering related energy costs.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Recommendations are made on a financial basis. The Council cannot continue to underwrite what should be a service generating income to enable core museum services to operate. Even with investment, repayment costs would still mean that catering would not achieve income targets. Tendering the business jointly with the BDFL provides opportunity to maximise income and encourage much needed investment into areas of the service that lack investment and are not in keeping with the quality expected from major museums and heritage attractions.

SUPPORTING DOCUMENTATION

Appendices:

1. Museum Visitors and tea room users

EDCC RPM Catering June 2012

Appendix 1

Museum Visitors and Tearoom users

	2009/10			2010/11			2011/12		
	Total visitors	Tearoom Users	%	Total visitors	Tearoom Users	%	Total visitors	Tearoom Users	%
Hove Museum	40,056	14,396	36%	44,542	14,038	32%	52,708	16,209	31%
Royal Pavilion	283,093	41,137	15%	313,360	44,262	14%	349,972	44,934	13%
Brighton Museum	233,057			224,707			254,001		

No. of tearoom users not available for Brighton Museum as this is currently run as a concession.

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 9

Brighton & Hove City Council

Subject:	Implications of the National Planning Policy Framework for Decision Making in Planning		
Date of Meeting:	21 June 2012		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Liz Hobden	Tel: 29-2504
	Email:	Liz.hobden@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The Government published the National Planning Policy Framework on 27 March 2012 which replaces previous national guidance. This report identifies the implications of this on the policies in the Brighton & Hove Local Plan, East Sussex and Brighton & Hove Waste Local Plan and East Sussex and Brighton & Hove Minerals Local Plan in determining planning applications.

2. RECOMMENDATIONS:

2.1 That the Committee notes the implications of the National Planning Policy Framework on the Brighton & Hove Local Plan, Waste Local Plan, Minerals Local Plan and for the emerging City Plan Part 1.

2.2 That the Committee agrees the policies in the adopted Plans, as assessed against the NPPF in the tables set out in Appendices 2, 3 and 4 to this report, should continue to be given weight as material planning considerations in decision making under the planning Acts until such policies are superseded by emerging and adopted policies in the City Plan and Waste & Minerals Plan.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 The Government has undertaken a review of national planning policy guidance as a key part of its reforms to make the planning system less complex, more accessible, and to promote sustainable growth. The National Planning Policy Framework (NPPF) is intended to replace, shorten and consolidate all Planning Policy Statements/Guidance (excluding those relating to Waste and some Mineral guidance), two Planning Circulars and a number of Letters to Chief Planning Officers. It consolidates over 1,000 pages of national planning policy guidance into one 59 page document.
- 3.2 The Draft NPPF was published in July 2011. The response from the city council supported the aims of the Government to consolidate national planning policy guidance and to promote economic growth and additional homes. However, there were a number of significant concerns raised including the references to sustainable development which appeared to place an emphasis on economic factors over environment and social factors. Additionally, there was a lack of detail on certain policy areas, no transitional arrangements and concerns were raised that the draft NPPF would be contrary to the stated aims of localism.
- 3.3 The final version of the NPPF was published on 27 March 2012. The government responded to comments made by the city council and other consultees. The main changes to the document include:
- a more balanced definition of sustainable development
 - transitional arrangements for Local Plans
 - encouraging the development of brownfield sites first.
 - confirmed that Neighbourhood Plans need to comply with policies in city wide planning documents.
- See appendix 1 for a key points summary of National Planning Policy Framework.
- 3.4 The NPPF came into effect immediately and therefore the majority of the previous national planning policy and guidance has now been superseded, though some supporting guidance remains in place. As a result, the NPPF replaces former national policy in determining planning applications and in plan making and will be cited in the reasoning for planning conditions and in some cases the refusal of applications.
- 3.5 All planning policy documents are required to comply with the policies and guidance set out in the National Planning Policy Framework. In terms of Brighton & Hove, changes to national policy have already led to a number of amendments to the City

Plan Part 1 which was agreed for consultation at Cabinet on 10 May.

Status of the Brighton & Hove Local Plan

- 3.6 Annex 1 of the NPPF provides guidance on implementation of the NPPF. Paragraph 214 of annex 1 allows decision-takers to continue, for a period of 12 months from the publication of the NPPF, to give full weight to relevant policies adopted since 2004 where the development plan was prepared and adopted in accordance with the Planning and Compulsory Purchase Act 2004. Whilst the Brighton & Hove Local Plan was adopted in 2005 it was prepared and adopted in accordance with the Town and Country Act 1990.
- 3.7 For this reason the 'saved' policies in the Local Plan must be considered in terms of their consistency with policies in the NPPF as required by paragraph 215 of the NPPF. Therefore the closer the policies in the Local Plan are to the policies in the NPPF, the greater weight they may be given. Where there is inconsistency between the NPPF and the saved policies in the adopted Local Plan, the NPPF attracts greater weight.
- 3.8 To meet these requirements Officers have undertaken a consistency assessment of the saved policies against the NPPF and this is set out in the table in Appendix 2. The table demonstrates that the majority of policies in the Local Plan will continue to carry significant weight. It is recommended that this table is used to inform planning decisions until the Local Plan is replaced by policies in the City Plan parts 1 and 2.
- 3.9 In addition, the NPPF allows weight to be given to emerging plans, such as the City Plan, with greater weight being accorded as such plans progress towards adoption. Emerging plans will also attract greater weight the greater the degree of consistency between the plan and the NPPF. The City Plan may be given full weight once adopted.

Status of the East Sussex and Brighton & Hove Waste and Minerals Local Plans

- 3.10 The Waste Local Plan was adopted in 2006, but was also prepared and adopted in accordance with the Town and Country Act 1990. The Minerals Local Plan was adopted in 1999. The 'saved' policies in both Plans must therefore also be considered in terms of their consistency with policies in the NPPF as required by paragraph 215 of the NPPF.

- 3.11 Consistency assessments of the saved policies in these Plans against the NPPF are set out in Appendices 3 and 4. The tables demonstrate that the majority of policies in the Waste and Minerals Plans will continue to carry significant weight. It is recommended that these tables are used to inform planning decisions until the Plans are replaced by policies in the new Waste & Minerals Plan.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Consultation has not been undertaken in relation to this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Any costs associated with this report have been met from within existing Planning Strategy & Projects revenue budgets, and consist mainly of officer time.

*Finance Officer Consulted: Karen Brookshaw
17/05/2012*

Date:

Legal Implications:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides, in relation to a determination, that where the various planning Acts require that regard is to be had to the development plan that determination must be made in accordance with the development plan unless material considerations indicate otherwise. As regards the determination of planning applications s70 (2) of the Town and Country Planning Act 1990 provides that the planning authority must have regard to the development plan, so far as material to the application, and to any other material considerations.

The policies in the NPPF are material considerations which the Council, as local planning authority, must take into account in relevant determinations as from the date of the publication of the NPPF. That being so, and as pointed out in the body of the Report, the weight to be given to policies in the Brighton and Hove Local Plan depends on their degree of consistency with the NPPF, and also in relation to the weight that can be accorded to emerging policies in the City Plan as it progresses towards adoption.

It is not considered that any adverse human rights implications arise from the report.

5.2

Lawyer Consulted: *Name Hilary Woodward* *Date:*
21/5/2012

Equalities Implications:

Equalities issues are tackled through the planning system. Saved policies in the Local Plan will continue to carry weight.

5.3

Sustainability Implications

Sustainable development is a golden thread running through the published NPPF and is central to saved policies in the Local Plan and the emerging City Plan.

5.4

Crime & Disorder Implications:

5.5 None identified.

Risk and Opportunity Management Implications:

The assessment of Local Plan policies against the NPPF is necessary as a result of the publication of the NPPF and the transitional arrangements set out within it. Risk and opportunity management will be addressed through emerging and future planning policy documents.

5.6

Public Health Implications:

None. Public health will continue to be addressed through emerging and future planning policy documents.

5.7

Corporate / Citywide Implications:

- . The status of policies in the adopted Local Plan the implications of the NPPF for emerging and future planning policy documents (including the introduction of Neighbourhood Plans) are significant. It will affect development, regeneration and future planning decisions in the city.

SUPPORTING DOCUMENTATION

Appendices:

1. Key Points Summary of National Planning Policy Framework
2. Table setting out the consistency of policies in the Brighton & Hove Local Plan with the NPPF
3. Table setting out the consistency of policies in the East Sussex and Brighton & Hove Waste Local Plan with the NPPF
4. Table setting out the consistency of policies in the East Sussex and Brighton & Hove Minerals Local Plan with the NPPF

Documents in Members' Rooms

1. None

Background Documents

1. Brighton & Hove Local Plan
2. National Planning Policy Framework
3. East Sussex and Brighton & Hove Waste Local Plan
4. East Sussex and Brighton & Hove Minerals Local Plan

Appendix 1

National Planning Policy Framework (NPPF, March 27 2012) Summary

General points

- Establishes a more balanced concept of sustainable development. Not only about economic growth but balanced with seeking improvements to social and natural environments (see para.7-9, page 3 of NPPF)
- A presumption in favour of sustainable development should be the basis for every plan and planning decision but clarifies where development should be restricted.

Plan-making:

- Local Planning Authorities (LPAs) should positively seek opportunities to meet the development needs of their area.
- Local plans should meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework as a whole.
- Planning should involve local people in plan-making and be less about 'scrutiny' and more about 'collective enterprise' with local people and communities.
- Plans should be based on a 'proportionate evidence base' – but requirements are comprehensive and fairly specific.
- Plans should be deliverable and based on effective joint working on cross-boundary strategic priorities.
- Duty to Cooperate on cross boundary issues (eg. meeting housing requirements across housing market areas) now part of 'soundness' tests at Examination.

Decision-making:

- NPPF does not change statutory status of development plan as starting point for decision making.
- Development/proposals should be approved if in accordance with the development plan.
- Where a plan is absent, silent or out of date, permission should be granted unless adverse impacts of doing so outweigh the benefits, when assessed against policies in the framework as a whole.
- For 12 months, full weight can be given to policies in local plans adopted since 2004. After that, due weight will depend upon degree of consistency with NPPF.
- Emerging plans will also have weight according to stage of preparation – the more advanced the plan, the greater the weight.
- Guidance emphasises the important role of pre-application engagement to resolve issues and improve development outcomes.
- Acknowledges that right information is crucial to good decision taking

Housing

- Local authorities should plan to meet in full their assessed needs for market and affordable housing, so far as is consistent with policies set out in the framework.
- They must identify, and update annually, a five year supply of specific deliverable sites to provide 5 years worth of housing against requirements with an additional buffer of 5%. Where there is persistent under-delivery, then buffer should be 20%.
- Identify sites or broad locations for growth, for years 6-10 and, where possible for years 11-15.
- Set out a Housing Implementation Strategy to manage housing delivery over plan period.
- Local Authorities should set out their own approach to housing density to reflect local circumstances.
- Plan for a mix of housing based on current and future demographic trends, market trends and the housing needs of different community groups.
- Affordable housing policies should be sufficiently flexible to take account of changing market conditions over time.
- Encourages the effective use of previously developed land (brownfield sites) but is not a 'brownfield first' policy.
- Allow changes of use from B uses to residential if there is a need in area and provided no strong economic reasons why any such development would be inappropriate.

Economy

- LPA should be pro-active in driving forward sustainable economic development and set out a clear economic vision and strategy for their area.
- Set criteria or identify strategic sites to meet anticipated needs over plan period
- Avoid long term protection of employment sites where there is no reasonable prospect of a site being used for that purposes.
- Promote mixed use development
- Strengthens the 'town centre first' policy and now includes offices as a town centre use
- LPAs to allocate sites to meet retail, leisure, office, commercial, cultural and community needs in town centres.
- Identify priority areas for economic regeneration

Transport

- Strong focus on sustainable transport.
- Patterns of development should support and facilitate the use of sustainable modes of transport.
- Work with neighbouring authorities to ensure sustainable travel and transport infrastructure (ties in with Duty to Co-operate approach)

- Promote mixed use development on large scale residential sites to encourage day-to-day activities on the one site by providing key facilities such as schools, employment and local shops.
- Plans should promote the sustainable movement of goods and people. Strong emphasis on infrastructure e.g. electric vehicle charging points
- Defines the factors that will need to be taken into account when setting local parking standards for residential and non-residential development.

Countryside, Open Space and Natural Environment

- Recognises the 'intrinsic character and beauty' of the countryside but no longer requires the 'protection of the countryside for all'.
- Existing open space, sports and recreational buildings and land should not be built on unless surplus to requirements; to be replaced or for alternative recreational provision where need outweighs the loss.
- Plans should set out a strategic approach for the creation, protection and enhancement of networks of biodiversity and green infrastructure.
- Plan for bio-diversity at a landscape-scale across local authority boundaries and map local ecological networks reflecting a hierarchy of designations and areas for habitat creation/ restoration.
- Introduces Local Green Space and Nature Improvement Area designations.

Heritage and design

- A better balance between local context and innovation in design
- Prominence given to heritage assets as an irreplaceable resource
- Acknowledges the contribution that design makes to sustainable communities
- Emphasis on finding viable new uses for vacant or neglected heritage assets
- Where proposals would lead to some harm to a heritage asset, then harm to be weighed against public benefits of the proposal, including securing its optimum viable use.

Sustainability

- Supports the move towards a low carbon future
- Plans to identify development areas or sites which can deliver enhanced levels of renewables and energy infrastructure
- Adopt nationally described standards for buildings sustainability.
- Food production is recognised as one of the multiple benefits of mixed use development.
- Evidence should be gathered which assesses the needs of the food production industry and planning should attempt to address any barriers to investment.

Travellers (separate new National Policy Guidance)

- LPAs to assess the accommodation needs for both permanent and transit site provision over the lifespan of the plan.

- Requirement to identify a five year supply of sites to meet identified needs and also to identify sites to meet needs over the first 10 years of the plan.

Appendix 2

Brighton and Hove Local Plan – National Planning Policy Framework compatibility assessment

On 27th March 2012 the Government published the National Planning Policy Framework (NPPF). The City Council has reviewed the 'saved' Brighton and Hove Local Plan policies to determine whether they are consistent with the NPPF. The tables below summarise the consistency of the policies and indicate how the City Council will use them in determining planning applications.

The table is colour coded, with green indicating full or partial consistency, black showing a neutral impact or indicating policies that have not been assessed and red showing policies that are not consistent. Where policies may not be fully consistent, a brief explanation of the City Council's views is included.

Nine Local Plan policies were not saved by the Secretary of State in 2008. In addition, four policies relate to site specific development that has been completed. These policies have not been assessed for consistency with the NPPF.

Chapter 1 – Making the connection between land use and transport

Local Plan Policy	Policy title	Consistency with the NPPF
TR1	Development and the demand for travel	Fully consistent
TR2	Public transport accessibility and parking	Partially consistent – The supporting text refers to a supplementary planning document identifying the accessibility of different parts of the city. This has not been produced and, in its absence, limited weight may be given to the policy. That said, in principle, the issues raised in the policy do not conflict with the NPPF.
TR3	Development in areas of low public transport accessibility	Partially consistent – The policy seeks to positively address

		sustainable transport on less accessible sites. Whilst this accords with the NPPF, the lack of an assessment of overall accessibility assessment presents some difficulties in implementation. In principle, there is no conflict with the NPPF, but limited weight may be accorded to the policy given the lack of supporting evidence.
TR4	Travel Plans	Fully consistent
TR5	Sustainable transport corridors and bus priority routes	Fully consistent
TR6	Park and Ride	Fully consistent
TR7	Safe development	Fully consistent
TR8	Pedestrian routes	Fully consistent
TR9	Pedestrian priority routes	Fully consistent
TR10	Traffic calming	Fully consistent
TR11	Safe routes to school and school safety zones	Fully consistent
TR12	Helping the independent movement of children	Fully consistent
TR13	Pedestrian network	Fully consistent
TR14	Cycle access and parking	Fully consistent
TR15	Cycle network	Fully consistent
TR16	Potential rail freight depot	Fully consistent
TR17	Shopmobility	Fully consistent
TR18	Parking for people with a mobility related disability	Partially consistent – The policy seeks to provide parking spaces for people with disabilities close to the access to a development. This accords fully with the NPPF. See TR19 for significant concerns about the wider parking standards. Parking provision for people with disabilities is less likely to be a problem in that respect since some provision would be sought regardless of accessibility.
TR19	Parking standards	Partially consistent – The adopted parking standards are dated and take limited account of accessibility. Availability of public transport options, local car ownership levels and consideration of high emission vehicles are not reflected in the policy or the parking standards. Paragraph 39 of the NPPF sets out factors for consideration in drafting parking standards.
TR20	Coach parking	Fully consistent
TR21	Long term coach and overnight lorry park	Fully consistent

Chapter 2 – Energy, water, pollution and waste

Local Plan Policy	Policy title	Consistency with the NPPF
SU1	Environmental impact assessment	Policy not saved
SU2	Efficiency of development in the use of energy, water and materials	Fully consistent
SU3	Water resources and their quality	Generally consistent – The NPPF states that policies should avoid, as is already standard practice, duplication of other pollution control regimes.
SU4	Surface water run-off and flood risk	Fully consistent – The council produced a Strategic Flood Risk Assessment in 2008. The NPPF states that policies should avoid, as is already standard practice, duplication of other pollution control regimes.
SU5	Surface water and foul sewage disposal infrastructure	Fully consistent
SU6	Coastal defences	Generally consistent – The NPPF focuses heavily on coastal change and its management. The council has a shoreline management plan setting out how coastal defences will be managed. Despite Brighton and Hove not having an adopted Coastal Change Management Plan, the policy generally accords with the NPPF.
SU7	Development within the coastal zone	Generally consistent – The council has no Coastal Change Management Plan, but the Coastal Zone is shown on the Local Plan Proposals Map. The issues raised by policy SU7 and the NPPF closely align and both address safety and adequacy of protection, design and character of the coast, sustainability and support public access to and along the coast.
SU8	Unstable land	Fully consistent
SU9	Pollution and nuisance control	Fully consistent
SU10	Noise nuisance	Fully consistent
SU11	Polluted land and buildings	Fully consistent
SU12	Hazardous substances	Generally consistent – The NPPF does not give specific

		guidance on storage/use of hazardous substances, but the issues of potential hazard or pollution are supported more generally. The NPPF states that policies should avoid, as is already standard practice, duplication of other pollution control regimes.
SU13	Minimisation and re-use of construction industry waste	Generally consistent – The NPPF contains little on waste. Policy SU13 is consistent with minimisation of waste and using resources effectively. For larger developments, the policy duplicates the Site Waste Management Plans Regulations 2008.
SU14	Waste management	Fully consistent
SU15	Infrastructure	Generally consistent – The NPPF supports the need to provide infrastructure in relation to new development where necessary. Policy SU15 requires the provision of services and/or infrastructure or a contribution towards them. A clear and up to date assessment of the city's infrastructure needs will support the policy.
		Where seeking infrastructure as part of a development, regard should be had to NPPF guidance on conditions and obligations.
SU16	Production of renewable energy	Fully consistent

Chapter 3 – Design, safety and the quality of development

Local Plan Policy	Policy title	Consistency with the NPPF
QD1	Design – quality of development and design statements	Fully consistent
QD2	Design – key principles for neighbourhoods	Generally consistent – Policy QD2 is wholly consistent with the NPPF philosophy of local neighbourhood planning and the need for development to respond to local character and identity. Paragraph 65 of the NPPF raises some inconsistency in supporting buildings of high design and sustainability standards, even where there are townscape conflicts.

QD3	Design – efficient and effective use of sites	Generally consistent – Policy QD3 and the NPPF seek to reuse derelict or vacant land or buildings and to achieve densities of development appropriate to the locality. Whilst supportive of increased densities, QD3, unlike the NPPF, does not express support for buildings of high design and sustainability standards, even where there are townscape conflicts.
QD4	Design – strategic impact	Generally consistent – Policy QD4 and the NPPF both seek high quality design that takes account of the wider context of development including townscape, landscape and historic context. Paragraph 65 of the NPPF raises some inconsistency in supporting buildings of high design and sustainability standards, even where there are townscape conflicts.
QD5	Design – street frontages	Fully consistent
QD6	Public art	Fully consistent
QD7	Crime prevention through environmental design	Fully consistent
QD8	Shop shutters	Fully consistent
QD9	Boarding up of flats, shops and business premises	Fully consistent
QD10	Shopfronts	Fully consistent
QD11	Blinds	Fully consistent
QD12	Advertisements and signs	Fully consistent
QD13	Advertisement hoardings	Generally consistent – Whilst the policy identifies key issues of amenity and public safety, the exclusion of specific areas, such as conservation areas, is less consistent with the NPPF.
QD14	Extensions and alterations	Fully consistent
QD15	Landscape design	Fully consistent
QD16	Trees and hedgerows	Fully consistent
QD17	Protection and integration of nature conservation features	Fully consistent
QD18	Species protection	Fully consistent
QD19	Greenways	Generally consistent – Greenways can be valuable in helping to create the 'ecological networks' sought by the NPPF, although the policy itself is not specific about this role.
QD20	Urban open space	Generally consistent – The policy will be supported by up to date information on current and future open space needs.
QD21	Allotments	Fully consistent
QD22	Satellite dish aerials	Fully consistent

QD23	Telecommunications apparatus (general)	Generally consistent – The NPPF states that local planning authorities should not question the need for the telecommunications system.
QD24	Telecommunications apparatus affecting important areas	Not consistent – Paragraph 44 of the NPPF states that local planning authorities should not ban telecommunications development in certain areas. Whilst QD24 does not represent a complete ban in “important” areas, it may be perceived as going further than the NPPF. Elsewhere, the NPPF is generally protective of these “important areas” and, in practice, this conflict is unlikely to be significant.
QD25	External lighting	Fully consistent
QD26	Floodlighting	Fully consistent
QD27	Protection of amenity	Fully consistent
QD28	Planning obligations	Generally consistent – Policy QD28 identifies five tests for planning obligations in accordance with the now defunct Circular 05/2005. Two of these tests have been deleted by the Community Infrastructure Levy Regulations 2010 and paragraph 204 of the NPPF. The policy lists clear aims for which obligations will be sought. The council has adopted temporary recession relief measures, showing flexibility in relation to changes in market conditions and enabling development to proceed.

Chapter 4 – Access to a decent home and community facilities

Local Plan Policy	Policy title	Consistency with the NPPF
HO1	Housing sites and mixed use sites with an element of housing	<p>Partially consistent – Both Policy HO1 and the NPPF seek the provision of housing supply to meet the city’s requirements over a five year period and beyond. The NPPF now requires additional 5% beyond an identified five year supply.</p> <p>In practice, given that HO1 is based on 2003 figures and a superseded housing target (HO1 was based on Structure Plan</p>

		target), it is likely to carry little weight with inspectors, who will be keen to see a current five year supply (plus 5%) demonstrated.
HO2	Affordable housing – ‘windfall sites’	Fully consistent
HO3	Dwelling type and size	Generally consistent – The policy will be supported by up to date information on current and future housing needs/demand.
HO4	Dwelling densities	Fully consistent
HO5	Provision of private amenity space in residential development	Fully consistent
HO6	Provision of outdoor recreation space in housing schemes	Generally consistent – The policy will be supported by up to date information on current and future open space needs.
HO7	Car free housing	Fully consistent
HO8	Retaining housing	Fully consistent
HO9	Residential conversions and the retention of smaller dwellings	Generally consistent – Policy HO9 demonstrates flexibility and supports efficient and effective use of existing sites and housing stock. The policy will be supported by up to date information on current and future needs for family housing and smaller, converted units.
HO10	Accommodation for homeless people	Generally consistent – The policy will be supported by up to date information on current and future housing needs/demand.
HO11	Residential care and nursing homes	Generally consistent – The policy will be supported by up to date information on current and future housing needs/demand.
HO12	Sheltered and managed housing for older people	Generally consistent – Policy HO12 supports provision of specialist housing for older people. The required proximity to amenities and transport accords with wider NPPF objectives. The policy will be supported by up to date information on current and future housing needs/demand.
HO13	Accessible housing and lifetime homes	Fully consistent
HO14	Houses in multiple occupation (HMOs)	Generally consistent – The policy will be supported by up to date information on current and future housing needs/demand.
HO15	Housing for people with special needs	Generally consistent – The policy will be supported by up to date information on current and future housing

		needs/demand.
HO16	Safeguarding existing Gypsy and/or Travellers Sites	Fully consistent – See also the Government's planning policy for traveller sites http://www.communities.gov.uk/documents/planningandbuild/pdfs/2113371.pdf
HO17	Sites for Gypsies and/or Travellers	Partially consistent – HO17 is broadly consistent but does not set out what the assessed requirement for sites over the plan period is. The Government's planning policy for traveller sites and the NPPF require planning authorities to address local needs and plan positively to meet those needs over the plan period and this includes having a five year supply of sites to meet assessed needs. The policy will be supported by up-to-date information on local needs.
HO18	Sites for Travelling Showpeople	Neutral - There is no assessed need for Travelling Showpeople sites.
HO19	New community facilities	Fully consistent
HO20	Retention of community facilities	Fully consistent
HO21	Provision of community facilities in residential and mixed use schemes	Fully consistent
HO22	Community centre at Coldean	Policy not saved
HO23	Community centre in Woodingdean	Fully consistent
HO24	Community centre at St Andrew's Church, Portslade	Policy not saved
HO25	Not relevant	Community centre approved as part of BH2010/01054
HO26	Day nurseries and child care facilities	Fully consistent

Chapter 5 – Supporting the local economy and getting people into work

Local Plan Policy	NPPF text (paragraph numbers in brackets)	Consistency with the NPPF
EM1	Identified employment sites (industry and business)	Generally consistent – This policy positively identifies sites for a range of employment uses, forming the "clear strategy" sought by the NPPF to meet economic needs. There is

		<p>flexibility within the acceptable uses, although the policy is restrictive of B8.</p> <p>The NPPF states that planning should not hold back economic development or unnecessarily protect sites. Policy EM1 does not directly conflict with the NPPF in that respect and will be supported by up to date information on local economic needs.</p> <p>Policy EM1 includes some out of centre sites. Office development out of town centres would be subject to the sequential approach and an impact assessment for sites larger than 2500 sq m. Some EM1 allocated office sites may not conform to NPPF.</p>
EM2	Sites identified for high-tech and office uses	<p>Generally consistent – Policy EM2 promotes high-tech and general office uses on identified sites. This forms an element of the positive strategy to identify and support sustainable economic growth. In that sense, the policy is fully consistent.</p> <p>Any inconsistency with the NPPF arises from its lack of flexibility to allow other uses. The policy will be supported by up to date information on local economic needs.</p>
EM3	Retaining the best sites for industry	<p>Generally consistent – EM3 is protective of existing employment sites in order to create and maintain jobs. The policy sets out clear criteria by which suitability for modern employment needs can be assessed and will be supported by up to date information on local economic needs.</p> <p>The need for alternative live/work units and affordable housing will be demonstrated by up-to-date evidence, in compliance with the NPPF.</p>
EM4	New business and industrial uses on unidentified sites	<p>Generally consistent – The first criterion of EM4 seeks demonstration of need for the proposed commercial use. Whilst the NPPF highlights the need for LPAs to identify economic needs, inspectors may view the criterion as impeding sustainable growth.</p>

		The other criteria within the policy pick up sustainable development issues highlighted in the NPPF, such as housing need, nature conservation and reducing the need to travel.
EM5	Release of redundant office floorspace and conversions to other uses	Generally consistent – The policy seeks to retain office floorspace unless it is “genuinely redundant.” The NPPF states that policies should avoid long term protection of sites where there is “no reasonable prospect” of them being used. The policy sets out tests to demonstrate redundancy and broadly accords with the NPPF.
EM6	Small industrial, business units and warehouse units	The need for alternative employment generating uses and affordable housing will be demonstrated by up-to-date evidence, in compliance with the NPPF. Generally consistent – See comments on EM5 above. This policy also addresses other issues, such as potential disturbance and heritage concerns, that are reflected in the NPPF.
EM7	Warehouses (B8)	Neutral - The policy is restrictive of warehouse development in order to maximise job creation locally and to reflect the physical characteristics of the city. Whilst reflecting local issues, in accordance with core principles of the NPPF, the policy could be viewed as restricting sustainable economic growth.
EM8	Live-work units on redundant industrial and business and warehouse sites	Fully consistent
EM9	Mixed uses and key mixed use sites	Fully consistent
EM10	North Laine Area – mixed uses	Generally consistent – The policy will be supported by up to date information on employment needs.
EM11	Mews – mixed uses	Generally consistent – The policy will be supported by up to date information on employment needs.
EM12	Shoreham Harbour – mixed uses	Generally consistent – The policy supports port related expansion, which accords with NPPF economic and transport objectives. The policy addresses infrastructure requirements and amenity issues.
		The policy promotes other uses, including some defined as

		"main town centre uses" by the NPPF. As a result, sequential tests and impact assessments may be required in line with the NPPF.
EM13	Brighton Station – mixed uses	Fully consistent
EM14	Air Street/North Street quadrant-mixed uses	Policy not saved
EM15	Jubilee Street – mixed uses	Jubilee Street development complete
EM16	West Street/Boyces Street/Middle Street – mixed uses	Policy not saved
EM17	Preston Barracks	Fully consistent
EM18	University of Brighton	Fully consistent
EM19	University of Sussex	Fully consistent
EM20	Village Way North	Community Stadium development complete

Chapter 6 – Shopping, recreation and leisure – maintaining vitality and viability

Local Plan Policy	NPPF text (paragraph numbers in brackets)	Consistency with the NPPF
SR1	New retail development within or on the edge of existing defined shopping centres	<p>Not consistent – Policy SR1 deals with new retail development within or on the edge of centres. Whilst it does not identify specific sites, it does adopt a sequential approach in line with the NPPF.</p> <p>Within town centres, the NPPF does not require an impact assessment. Policy SR1 (a) requires applications to demonstrate no detriment to vitality and viability of existing centres and is not consistent in that respect. For edge of centre sites, SR1 seeks demonstration of a need for the development, whilst the NPPF requires assessment of the impact.</p> <p>The policy addresses other concerns of the NPPF, including accessibility for all and sustainable transport.</p>
SR2	New retail development beyond the edge of existing established shopping centres	Not consistent – Policy SR2 sets out a sequential approach in accordance with the NPPF. However, it seeks a needs

		assessment, rather than the impact assessment set out in the NPPF.
SR3	Retail warehouses	Not consistent – The NPPF makes no specific reference to retail warehouses, bulky goods or subdivision of units. Generally, the comments under SR2 above will apply. The issues relating to bulky goods and unit size/layout may be relevant depending on the details of any impact assessment for an out of centre proposal.
SR4	Regional shopping centre	Fully consistent
SR5	Town and district shopping centres	Fully consistent
SR6	Local centres	Generally consistent – This policy defines local centres as part of the city's shopping hierarchy and gives clear guidance on acceptable uses and thresholds. It accords with NPPF aims to create healthy and inclusive communities and meet day-to-day needs. Policy SR6 introduces a redundancy test for changes of use from retail. Whilst the clear intention is to retain vitality and viability, this test may be viewed as inconsistent with the NPPF in potentially restricting economic growth.
SR7	Local parades	Generally consistent – This policy defines local parades as part of the city's shopping hierarchy and gives clear guidance on acceptable uses and thresholds. It accords with NPPF aims to create healthy and inclusive communities and meet day-to-day needs. Policy SR7 includes a redundancy test for changes of use from retail. Whilst the clear intention is to retain vitality and viability, this test may be viewed as inconsistent with the NPPF in potentially restricting economic growth.
SR8	Individual shops	Generally consistent – Policy SR8 offers protection for individual retail units and aims to meet day-to-day shopping needs. Policy SR8 includes a redundancy test for changes of use from retail. Whilst the clear intention is to protect local shops,

		this test may be viewed as inconsistent with the NPPF in potentially restricting economic growth.
SR9	Brighton Post Office, 51 Ship Street	Fully consistent
SR10	Amusement arcades/centres	Fully consistent
SR11	Markets and car boot sales	Fully consistent
SR12	Large Use Class A3 (food and drink) venues and Use Class A4	Fully consistent
SR13	Nightclubs	Fully consistent
SR14	New hotel and guest accommodation	<p>Not consistent – The NPPF defines tourism as a “main town centre use” and introduces a sequential test. Policy SR14 guides new tourism accommodation towards a hotel core area defined in the Local Plan, but has no sequential test.</p> <p>The policy, whilst seeking to locate new tourist accommodation in relatively central areas, does not comply with the NPPF in terms of the sequential test, a defined town centre area or, potentially, flexibility on the use of industrial/business land.</p>
SR15	Protection of hotels/guest houses	<p>Not consistent – The policy is protective of tourist accommodation within the defined core area. The principle of protection in the interests of the local economy and meeting the community’s needs accords with the NPPF, although the use of a core area rather than an identified town centre raises inconsistency.</p>
SR16	Major sporting and recreational facilities	Fully consistent
SR17	Smaller scale sporting and recreational facilities	Fully consistent
SR18	Seafront recreation	Fully consistent
SR19	Black Rock site	<p>Not consistent – This policy allocates a vacant seafront site for recreation/leisure uses. It positively addresses NPPF aims on issues such as recreation, tourism, coastal, nature conservation, transport and sustainability issues.</p> <p>However, the NPPF identifies leisure, tourism, cultural, and community uses as “main town centre uses” and requires a sequential test where they are outside an existing centre and not in accordance with an up-to-date Local Plan. The NPPF</p>

		also requires, where development is over the appropriate threshold, an impact assessment to be carried out. The policy does not require a sequential test or impact assessment and, in these respects, the NPPF would take precedence.
SR20	Protection of public and private outdoor recreation space	Generally consistent – Policy SR20 and the NPPF recognise the benefits of recreation spaces for healthy communities. The policy will be supported by up to date information on outdoor recreation needs.
SR21	Loss of indoor recreation facilities	Generally consistent – Policy SR21 and the NPPF recognise the benefits of recreation spaces for healthy communities. The policy will be supported by up to date information on outdoor recreation needs.
SR22	Major sporting venues	Fully consistent
SR23	Community Stadium	Community Stadium complete
SR24	King Alfred/RNR site	Fully consistent
SR25	Hollingbury Park sports pavilion	Fully consistent
SR26	Hangleton Bottom	Generally consistent – This policy seeks to provide recycling and community/recreational facilities. Both accord with aims of the NPPF to reduce use of resources and enable healthy communities. The policy will be supported by up to date information on outdoor recreation needs. The site was not included in the South Downs National Park.

Chapter 7 – An integrated approach to nature conservation and the countryside

Local Plan Policy	Policy title	Consistency with the NPPF
NC1	Sites of international and/or European importance for nature conservation	Policy not saved
NC2	Sites of national importance for nature conservation	Fully consistent
NC3	Local Nature Reserves (LNRs)	Fully consistent
NC4	Sites of Nature Conservation Importance (SNCIs) and	Fully consistent

	Regionally Important Geological Sites (RIGS)	
NC5	Urban fringe	Fully consistent
NC6	Development in the countryside/downland	Fully consistent
NC7	Sussex Downs Area of Outstanding Natural Beauty	Fully consistent
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty	Neutral – No specific mention of the setting of National Parks in the NPPF, although it is strongly protective of National Parks.
NC9	Benfield Valley	Fully consistent
NC10	Benfield Barn	Fully consistent
NC11	Land and buildings in the vicinity of Benfield Barn	Fully consistent
NC12	High grade agricultural land	Policy not saved

Chapter 8 - Managing change within an historic environment

Local Plan Policy	Policy title	Consistency with the NPPF
HE1	Listed buildings	Fully consistent
HE2	Demolition of a listed building	Fully consistent
HE3	Development affecting the setting of a listed building	Fully consistent
HE4	Reinstatement of original features on listed buildings	Fully consistent
HE5	West Pier	Policy not saved
HE6	Development within or affecting the setting of conservation areas	Fully consistent
HE7	Land adjoining Pavilion Street, Princes Street and 3-4 Old Steine	Policy not saved
HE8	Demolition in conservation areas	Fully consistent
HE9	Advertisements and signs within conservation areas and on, or in the vicinity of a listed building	Fully consistent
HE10	Buildings of local interest	Fully consistent
HE11	Historic parks and gardens	Fully consistent
HE12	Scheduled ancient monuments and other important archaeological sites	Fully consistent

Appendix 3

Assessment of consistency of 'saved' Waste Local Plan policies (2006) with the National Planning Policy Framework (2012)

To determine which of the Waste Local Plan policies can continue to be used in the consideration of planning applications, an assessment of these policies against the NPPF has been undertaken. The Local Plan policies have been placed in one of the following categories as a result of this assessment:

- **Fully consistent with the NPPF** – policies in this category either replicate the NPPF, add to the NPPF (whilst remaining consistent with the thrust of the document), or provide less detail/caveats than the NPPF (whilst not contradicting it). These Local Plan policies can continue to be applied alongside the NPPF.
- **Consistent, in part, with the NPPF** – a number of the 'saved' Local Plan policies contain a significant level of detail. Parts of these policies are consistent with the NPPF, whilst certain parts are not. These policies need to be applied by judging the weight that can be applied to them, alongside the NPPF, in the specific circumstances of each individual application.
- **Inconsistent with the NPPF** – policies that take a different direction and view on matters to the content of the NPPF. These policies should no longer be applied.
- **Not covered by the NPPF** - This Framework does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England. A number of policies therefore are not covered by it.

Policy Number	Policy Title	Consistency with NPPF
WLP1	The Plan's Strategy	Parts a) to e) are not covered by the NPPF. Part f) is partially consistent with the NPPF: Paragraphs 117 and 118 support the policy's level of protection for protected environments, however paragraph 118 allows for adverse effects on the special features of SSSIs where the benefits of the development clearly outweigh the impacts. Paragraphs 132 and 133 further allow for substantial harm to or total loss of the significance of a designated heritage asset where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 134 requires any harm to a heritage asset this harm to be weighed against the public benefits of the proposal, including securing its optimum viable use.
WLP2	Transport Strategy	Fully consistent with the NPPF paragraph 30.
WLP3	Areas of Outstanding Natural Beauty	Fully consistent with the NPPF paragraph 116.
WLP4	Road to Rail or Water Transfer	Fully consistent with the NPPF paragraph 30.
WLP5	Safeguarding Sites	Not covered by the NPPF.
WLP6	Expansions or Alterations to Existing Facilities	Not covered by the NPPF.
WLP7	Site Specific Allocation for Road to Rail Transfer Facilities	Site specific policy not covered by the NPPF but principle of location is consistent.
WLP8	Site Specific Allocations for Materials Recovery	Site specific policy not covered by the NPPF but principle of location is consistent.

Policy Number	Policy Title	Consistency with NPPF
	Faculties / Waste Transfer Stations	
WLP9	Site Specific Allocation for Energy from Waste and Material Recovery Facilities	Site specific policy not covered by the NPPF but principle of location is consistent.
WLP10	Site Specific Allocations for Waste Disposal to Land	Not covered by the NPPF.
WLP11	Reduction, Reuse and Recycling during Demolition and Design, and Construction of New Developments	Not covered by the NPPF.
WLP12	Recycling as Part of Major Development	Not covered by the NPPF
WLP13	Recycling, Transfer and Materials Recovery Facilities	Partially complies. Policy restricts development to brownfield sites whereas NPPF is more flexible as it only 'encourages' the reuse of brownfield land. (Para. 111).
WLP14	Recycling and Recovery Facilities for Construction and Demolition Waste	Partially complies. Policy restricts development to brownfield sites whereas NPPF is more flexible as it only 'encourages' the reuse of brownfield land. (Para. 111).
WLP15	Small Scale Recycling Collection Facilities	Not covered by the NPPF

Policy Number	Policy Title	Consistency with NPPF
WLP16	New Household Waste Sites	Partially complies. Policy restricts development to brownfield sites whereas NPPF is more flexible as it only 'encourages' the reuse of brownfield land. (Para. 111).
WLP17	Reprocessing Industries	Not covered by the NPPF
WLP18	Composting Facilities	Fully consistent with the NPPF as the policy allows for development in rural areas.
WLP19	Energy from Waste Facilities	Partially complies. Policy restricts development to brownfield sites whereas NPPF is more flexible as it only 'encourages' the reuse of brownfield land. (Para. 111).
WLP20	Landfilling – Non-Inert Waste	Not covered by the NPPF
WLP21	Landraising – Non-Inert Waste	Not covered by the NPPF
WLP22	Landfill Gas	Not covered by the NPPF
WLP23	Landfilling – Inert Waste	Not covered by the NPPF
WLP24	Landraising/Improvement with Inert Waste	Not covered by the NPPF
WLP25	Landfill Mining	Not covered by the NPPF
WLP26	Mineral Waste	Not covered by the NPPF
WLP27	Special and Difficult Wastes	Not covered by the NPPF
WLP28	On Site Clinical Waste Facilities	Not covered by the NPPF
WLP29	Independent Clinical Waste Facilities	Not covered by the NPPF
WLP30	Wastewater and Sewage Sludge	Not covered by the NPPF

Policy Number	Policy Title	Consistency with NPPF
WLP30a	Wastewater and Sewage Sludge (Brighton & Hove / Peacehaven Catchment)	Not covered by the NPPF
WLP31	Disposal of Liquid Waste and Dredgings on Land for its Improvement	Not covered by the NPPF
WLP32	Liquid Waste Facilities	Not covered by the NPPF
WLP33	Agricultural and Stable Waste	Part a) complies with NPPF guidance on design. Parts b) and c) are not covered.
WLP34	Animal Carcass Waste	Not covered by the NPPF
WLP35	General Amenity Considerations	Parts a) to d) are fully consistent with the NPPF. Part e) is partially consistent with the NPPF: Paragraphs 117 and 118 support the policy's level of protection for protected environments, however paragraph 118 allows for adverse effects on the special features of SSSIs where the benefits of the development clearly outweigh the impacts. Paragraphs 132 and 133 further allow for substantial harm to or total loss of the significance of a designated heritage asset where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 134 requires any harm to a heritage asset this harm to be weighed against the public benefits of the proposal, including securing its optimum viable use.
WLP36	Transport	Fully consistent with the NPPF para. 35

Policy Number	Policy Title	Consistency with NPPF
	Considerations	
WLP37	Flood Defences, Flood Plains and Surface Water Runoff	Fully consistent with the NPPF para. 103
WLP38	Surface and Groundwater	Not covered in the NPPF except in the context of mineral development.
WLP39	Design Considerations	The policy does not contradict the NPPF but Part 7 of the NPPF goes further than the existing policy by providing extensive guidance on what constitutes good design.
WLP40	Environmental Improvements and Other Benefits	Not covered by the NPPF

Appendix 4

Assessment of consistency of 'saved' Minerals Local Plan policies (1999) with the National Planning Policy Framework (2012)

To determine which of the Minerals Local Plan policies can continue to be used in the consideration of planning applications, an assessment of these policies against the NPPF has been undertaken. The Local Plan policies have been placed in one of the following categories as a result of this assessment:

- **Fully consistent with the NPPF** – policies in this category either replicate the NPPF, add to the NPPF (whilst remaining consistent with the thrust of the document), or provide less detail/caveats than the NPPF (whilst not contradicting it). These Local Plan policies can continue to be applied alongside the NPPF.
- **Consistent, in part, with the NPPF** – a number of the 'saved' Local Plan policies contain a significant level of detail. Parts of these policies are consistent with the NPPF, whilst certain parts are not. These policies need to be applied by judging the weight that can be applied to them, alongside the NPPF, in the specific circumstances of each individual application.
- **Inconsistent with the NPPF** – policies that take a different direction and view on matters to the content of the NPPF. These policies should no longer be applied.
- **Not covered by the NPPF** – policies which address issues not specifically covered by the NPPF although they may fall under other legislation or non- cancelled guidance e.g. MPG14

PR 26/4/12

Policy No.	MLP policy title	Consistency with NPPF
1	General Approach	Consistent, in part, with the NPPF The NPPF does not refer to the extension of existing/permitted non-aggregate sites, or the location of mineral processing and manufacturing plant which is covered in this policy.
2	Future Provision of Aggregates	Fully consistent with the NPPF References to SERPLAN now out of date
3	Sites for the provision of sand and gravel extraction	Fully consistent with the NPPF
4	Preferred Areas and Areas of Search	Fully consistent with the NPPF
5	Outside the Areas of Search and Preferred Areas	Consistent, in part, with the NPPF NPPF states provision should be in form of specific sites, preferred areas, AoS and locational criteria. The “special circumstances” in the policy could therefore be considered to be such criteria.
6	Extraction of aggregates at Broomhill North, Scotney Court extension and Wall farm	Fully consistent with the NPPF
7	Rye Harbour	Not covered by the NPPF –Not specifically covered by the NPPF although falls under other legislation or guidance e.g. MPG14
8	Shoreham Port	Fully consistent with the NPPF
9	Newhaven Port	Fully consistent with the NPPF
10	Rail transport from Newhaven Port	Fully consistent with the NPPF
11	Rye Port	Fully consistent with the NPPF

12		Fully consistent with the NPPF
13	Mountfield Coated Roadstone Plant Rail Depots	Consistent, in part, with the NPPF The NPPF does not specifically refer to the location of rail depots which is covered in this policy.
14	Recycling Material	Consistent, in part, with the NPPF The NPPF does not specifically refer to the location of recycling facilities which is covered in this policy.
15	Existing Clay Sites	Consistent, in part, with the NPPF The NPPF does not specifically refer to the location of manufacturing plants or new clay workings distant from their plant which is covered in this policy.
16	New Clay sites	Consistent, in part, with the NPPF The NPPF does not specifically refer to the location of new manufacturing plants or new clay workings which is covered in this policy.
17	Future Clay Reserves	Fully consistent with the NPPF
18	Clay working in the AONB	Consistent, in part, with the NPPF Policy 18 does not rule out an AONB location for new clay working/activities. The NPPF states that as far as practical landbanks of non-energy minerals should be from outside AONBs.
19	Ashdown Brickworks (clay extraction)	Consistent, in part, with the NPPF. Policy is largely out of date. The NPPF does not specifically refer to the location of new clay workings distant from their plant.
20	Chalk	Consistent, in part, with the NPPF Policy is largely out of date The NPPF does not specifically refer to the demand for or location of chalk for non-cement uses.
21	Tarring Neville	Consistent, in part, with the NPPF Policy is largely out of date. The NPPF does not specifically refer to the demand for or location of chalk for non-cement uses

22	Filching Quarry restoration	Consistent, in part, with the NPPF The NPPF does not specifically refer to the location of chalk for non-cement uses. However restoration at the earliest opportunity is sought.
23	Meeching Quarry	Consistent, in part, with the NPPF The NPPF does not specifically refer to the location of chalk for non-cement uses.
24	Cement Manufacture	Consistent, in part, with the NPPF. Policy 24 resists cement manufacturing. NPPF requires MPAs to provide 15 years permitted reserves for existing cement plants. There are however no plants in the Plan area.
25	Chalk for construction fill	Fully consistent with the NPPF
26	Gypsum	Consistent, in part, with the NPPF Policy 26 does not rule out an AONB location as the current activities are already in such a designation. The NPPF states that as far as practical landbanks of non-energy minerals should be from outside AONBs.
27	Restoration and management around Robertsbridge and the Brightling Mine	Fully consistent with the NPPF. The detail of this policy is not covered by the NPPF but high standard restoration and aftercare is.
28	Retention of rail link at Robertsbridge	Fully consistent with the NPPF
29	Plasterboard Manufacturing and recycling	Consistent, in part, with the NPPF Policy 29 is largely out of date. The detail of this policy is not covered by the NPPF but encouragement for recycling is.
30	Hydrocarbons	Consistent, in part, with the NPPF Policy 30 only sets out development criteria for hydrocarbon operations which meet the requirements of (former) Structure Plan policy. The NPPF also requires MPAs to distinguish between the 3 different phases of development. This would have been covered in the Structure Plan policy.
31	Development Control- Environmental	Consistent, in part, with the NPPF

	Assessment	Policy 31 covers many environmental criteria some details are not covered by the NPPF. However, it does not cover impact on human health, tip and quarry slope stability, differential settlement of quarry back fill, mining subsistence, migration of contamination and cumulative effects.
32	Safeguarding	Consistent, in part, with the NPPF Policy 32 safeguards many of the types of site identified in the NPPF, but in a way that is based on actual locations rather than potential sites for specific uses.
33	Breaches of planning control	Not covered by the NPPF
34	Restoration	Consistent, in part, with the NPPF Policy reflects the requirements of the NPPF but does not refer to aviation safety.
35	After-use	Consistent, in part, with the NPPF Some but not all of the afteruses set out in the NPPF are included in policy 35. The policy also refers to landfilling and built development which are not covered by the NPPF.
36	Review of sites	Not covered by the NPPF

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 10

Brighton & Hove City Council

Subject:	UPDATE ON THE ECONOMIC STRATEGY AND THE CITY PROSPECTUS		
Date of Meeting:	21 June 2012		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Cheryl Finella	Tel: 29-1095 / 1757
	E-mail:	Cheryl.finella@brighton-hove.gov.uk ;	
Wards Affected:	All		

FOR GENERAL RELEASE

1. **SUMMARY AND POLICY CONTEXT:** This report provides an update on activities relating to the creation of the Economic Strategy and the City Prospectus.
2. **RECOMMENDATIONS:**

That the Committee:

 - 2.1 Support the proposed refresh of the economic strategy;
 - 2.2 Agree in principle a proposal for the City Prospectus website to be hosted by the Economic Partnership subject to legal and financial agreement.
3. **BACKGROUND INFORMATION**
 - 3.1 Economic development strategies have been a notable feature of local and regional government over the last 20 years. Their purpose has been largely to set out priorities by economic sector and locality as to where the public sector is directing its investment and otherwise seeking to shape and influence market forces. The current Brighton & Hove Economic Strategy, 'Raising our Game' (2008) is distinctive in that its creation was led by the Economic Partnership with the support of the city council and other key stakeholders in the city. It was the subject of extensive consultation with businesses, councillors, council officers, the universities and FE sector and other city stakeholders. The key aspirations included:
 - supporting high growth businesses;

- promoting the application of new technologies across sectors;
- improving business competitiveness as a means of creating and safeguarding employment.

New economic realities

- 3.3 The current strategy spans the period 2008-2016 but was conceived before the financial crash and subsequent flat-lining of the national economy. Between 2008 and 2009 the United Kingdom experienced the largest and deepest recession since the 1930's; the international banking crisis affected over 90% of the economies in the Organisation for Economic Cooperation and Development (OECD). In April 2012 the Office for National Statistics (ONS) reported that UK gross domestic product (GDP) fell 0.2 per cent between January and March. The GDP fall followed a 0.3 per cent decline in the final quarter of 2011, fulfilling the technical definition of recession - two consecutive quarters of negative GDP growth; in effect a double dip recession with very uncertain prospects for growth nationally and across Europe.
- 3.4 The advent of recession meant that many projects across the city and the UK were stalled as access to investment capital for major infrastructure and bank credit for small firms dried up. Business failures and public sector job losses have contributed to rising levels of unemployment and the need for an even greater focus on job creation.
- 3.5 Against this backdrop there have been increases in the cost of raw materials, food and energy and an increased desire on the part of government to find sustainable energy sources and reduce carbon waste. Public, private and third sector organisations are being asked to take a more active role in determining the future of their local neighbourhoods in an environment of hard pressed resources.

Economic Development Commission

- 3.6 In February 2011 the Economic Partnership submitted a research proposal to the Public Service Board. As a consequence the Council's Strategic Director of Place established the Economic Development Commission (EDC) which reported to the Public Services Board in September 2011. The findings and recommendations of the Commission were accepted and included:
- The proposal of the new Leader of the Council to seek a formal review of the City's Economic Development Strategy

in the light of the economic climate and the ambition to move towards a lower carbon economy;

- To ensure that the City's economic strategy can deliver a lower carbon economy, key statutory undertakers and infrastructure providers are invited to participate in the review process;
- The review works promptly to inform forthcoming revisions to key areas of public policy including the Council's Core Strategy;
- Create an up to date prospectus which sells the city/encourages businesses to the area who are looking to open or expand in this area;
- Draft an inward investment prospectus for Brighton & Hove including priority investment locations;
- The revised Core Strategy-City Plan to consider site specific options and incentives to enhance the better economic use of land.

3.12 The recommendations are being taken forward by the members of the Economic Development Commission which includes representatives from the two universities, the Economic Partnership, the PSB, the Chamber of Commerce, a Coast to Capital Board member, City College and council officers from Property Services, Economic Development and Planning; and chaired by the Strategic Director for Place.

City Employment Skills Plan

3.13 The City Employment & Skills Plan 2011-2014 identifies the need to create at least 6,000 by 2014 due to the rising population. To date the Plan has been championed by a City Employment Skills Group (CESG) chaired by Phil Frier who has recently stepped down. Compared to many areas of the country, unemployment in the city is relatively low but has been rising. There are particular concerns about the impact on young people growing up in the city and finding it difficult to compete for local jobs. The CESG has been proactive in promoting local apprenticeship schemes.

Brighton & Hove Living Wage

3.14 The Council has adopted a living wage policy and has actively encouraged other employers in the city to consider adopting this where possible.

City Plan

- 3.15 On 10 May the second stage of consultation on the City Plan was approved by Cabinet. The City Plan will provide the strategic land use vision to 2030. It will set out how the council will respond to local priorities, meet the challenges of the future and identify the broad locations, scale and types of development needed together with the supporting infrastructure.
- 3.16 The City Plan will form an integral part of the refresh of the Economic Strategy as it will set down a clear set of parameters for developments across the city, taking into account the needs of priority sectors, business clusters and opportunities for job creation. The consultation that has and will take place regarding the City Plan will inform the direction of the Economic Strategy and help to set priorities for the city.

Public agency intervention

- 3.17 In May 2010 the new Coalition Government set out an ambitious programme aimed at reducing the structural deficit, devolving powers to local people and communities and re-balancing the UK economy by promoting private sector-led growth. The Regional Development Agencies were wound up and new business led Local Enterprise Partnerships were created to focus on economic development activity within self-defined local geographies. There is an expectation from government that the private sector will co-invest in major regeneration projects and reduce dependence upon public funds.
- 3.18 The Coast to Capital Local Enterprise Partnership is now fully in operation and has commenced administration of public funding initiatives such as the Growing Places Fund and the Regional Growth Fund. It will also advise on the priorities for devolved Department of Transport major projects funding. The Leader of the Council has a seat on the Board and officers are working closely with the partnership to ensure the city is able to benefit.
- 3.19 In addition to the LEP initiative, the government is also encouraging cities and city-regions to step up in stimulating economic recovery and sustainable growth. Brighton & Hove does not currently form one of the designated 'Core Cities'. Nonetheless, the city council, alongside other growth cities in the south east region has been lobbying government to widen the number of cities that may contribute to the initiative.

Brighton & Hove Economic Strategy Refresh

- 3.20 Drawing on the work already underway and outlined above, the advent of the Economic Development and Culture Committee affords a timely opportunity to formally engage members in

refreshing the city's Economic Strategy by reviewing the policy assumptions of the current strategy, considering the impact of the Council and its diverse activities on the business economy, exploring the scope to better retain small and medium sized businesses in the city and also to identify measures to encourage new enterprises particularly around environmental industries.

- 3.21 The refresh of the strategy is being sequenced with the consultation and adoption of the City Plan. A detailed timetable for community and business engagement is being agreed with the Economic Partnership.

4.0 City Prospectus

- 4.1 An early practical win in taking forward the refresh of the strategy is the City Prospectus agreed in principle by the Public Services Board. Reports such as the HSBC 'Supercity' and Centre for Cities Outlook 2011 highlighted the unique business offer that the city provides; including above average levels of entrepreneurs, graduates and business start up. The City Prospectus will define in greater detail and on an ongoing basis the substance of the city's business and employment offer and will set out for the first time to audiences in and outside of the city a comprehensive profile of the city's business and investment opportunities.
- 4.2 Under the direction of a steering group, a local consultant team have been given a small commission to expedite the collation of content for a web site. This will include testimonials from leading and innovative businesses, information on key businesses and their supply chains, business sectors and their networks and site development opportunities.
- 4.4 As a city with a global reputation for digital media and reflecting the need to keep the information current, the prospectus is to be hosted on a website that reflects the digital excellence of this city and one that can be updated by the various partners engaged in attracting inward investment. A web development team has been appointed to work on developing a site that showcases the cities core characteristics and displays the content in a way that is appropriate for potential audiences.
- 4.5 Consultation on the prospectus is underway with Council Members, business representatives, developers within and outside of the city and other stakeholders. The web developers will be suggesting options for the look and feel of the site to the project working group which comprises the Economic Partnership and officers from marketing, ICT and Economic Development in the city council. Proposals will also go to the Economic Development Commission for feedback.

- 4.6 Along with hard data on city demographics, transport links, educational achievement and quality of life, the strategy will profile some of the key sites and developments with investment potential in the city including those that are underway in order to demonstrate the city's willingness to support sustainable development. This may include major projects such as:

2012-2015

- i360
- Block J New England Quarter
- Brighton Station Gateway
- Ultrafast Broadband
- Lewes Road Corridor improvements
- Preston Barracks
- Circus Street
- Toads Hole Valley

2015-2019

- Brighton International Arena
- Brighton Centre
- Shoreham Port
- 3 T's Teaching Hospital

- 4.7 The Economic Partnership has indicated its willingness to host the site and all partners within the Economic Development Commission will be contributing to the content and links to the site. At the end of May partners will be meeting to agree a working protocol similar to a protocol which has been developed within the Coast to Capital LEP. The protocol will ensure that all potential leads are followed up and that all enquiries wherever they land (City Council, EP, Chamber of Commerce etc) will be captured.
- 4.8 The Council is working with a private business group led by South Downs Solar who are organising, on a commercial basis, an Eco-Technology Show at the Amex Stadium 15-16 June. The event has a linked conference, called Smart Growth on the Friday 15 June at which Greg Barker MP (Environment Minister) is scheduled to speak. A seminar session is arranged for the Leader of the Council to profile the City Investment Prospectus along with other initiatives such as the current plans for the i360.
- 4.9 Partners have been very clear that they want to focus on producing an exemplar website that reinforces the city's creative and digital credentials. To this end they have not been prescriptive about the deadline however it is expected that the work will be complete by the end of the Summer.

- 4.10 As part of the hosting and content upkeep of the site the Economic Partnership will consider whether there are any income generation opportunities arising from it. It is not yet clear whether a website of this type can generate income however any income derived will contribute to core costs for the partnership (which ceased with the demise of the Regional Development Agency) and will support activities arising from the strategy.
- 4.11 Representatives from the government's foreign direct investment (FDI) agency UKTI are participating in the project and, in now recognising Brighton and Hove as an FDI location, are bringing to the city this coming autumn a delegation of c.30 US based digital media companies looking to invest in the UK.

5. CONSULTATION

- 5.1 The work streams described in this report have arisen as part of a consultation that took place with members of the Economic Development Commission. Four separate sessions were held over the course of six months plus two additional sessions focusing on the inward investment prospectus.

A workshop on the City Prospectus was held in May and hosted by Wired Sussex for the digital media sector and a series of individual face to face and telephone interviews are informing the content.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 There are no immediate financial implications arising from this report. The costs associated with production of the Economic Strategy, the City Prospectus and website and the contribution to the Eco Technology Show are all being met from within the Economic Development initiatives budget for 2012-13. Other work relating to the implementation of projects included within the plan will be subject to further reports.

Finance Officer Consulted: Karen Brookshaw
07/0612

Date:

Legal Implications:

- 6.2 There are no immediate legal implications arising from this report. Work arising from the Economic Strategy that impact on council services and resources will be subject to separate reports. The

detailed arrangements for hosting the website will be brought to a future Committee.

Lawyer Consulted: Bob Bruce

Date: 7/06/12

Equalities Implications:

- 6.3 The Economic Strategy will be accompanied by an Equalities Impact Assessment which will consider whether there are any negative impacts arising from the agreed priorities and will seek to mitigate them.

Sustainability Implications:

- 6.4 The new Economic Strategy will consider how Brighton & Hove can become a 'sustainable city' with regard to a 'One Planet Living' framework. In seeking to reduce the carbon footprint of the city the Economic Strategy will take into account the recommendations of the Climate Change Strategy, the Sustainable Community strategy and the city's bid to attain UN Biosphere status.

Crime & Disorder Implications:

- 6.5 Improving the economic prospects of the city's residents may contribute to reducing anti-social behaviour.

Risk and Opportunity Management Implications:

- 5.6 There are no risk & opportunity management implications arising from this report.

Corporate / Citywide Implications:

- 6.7 It is expected that the creation of the Economic Strategy will have a positive impact on the economic performance of the city and will facilitate joint working with other public sector agencies. The City Prospectus will provide a clearly articulated business message that will seek to attract new business and create jobs and strengthen understanding between the Council and the local business community.

7. SUPPORTING DOCUMENTATION

Appendices:

Investment Prospectus background paper

Documents in Members' Rooms:

None

Background Documents:

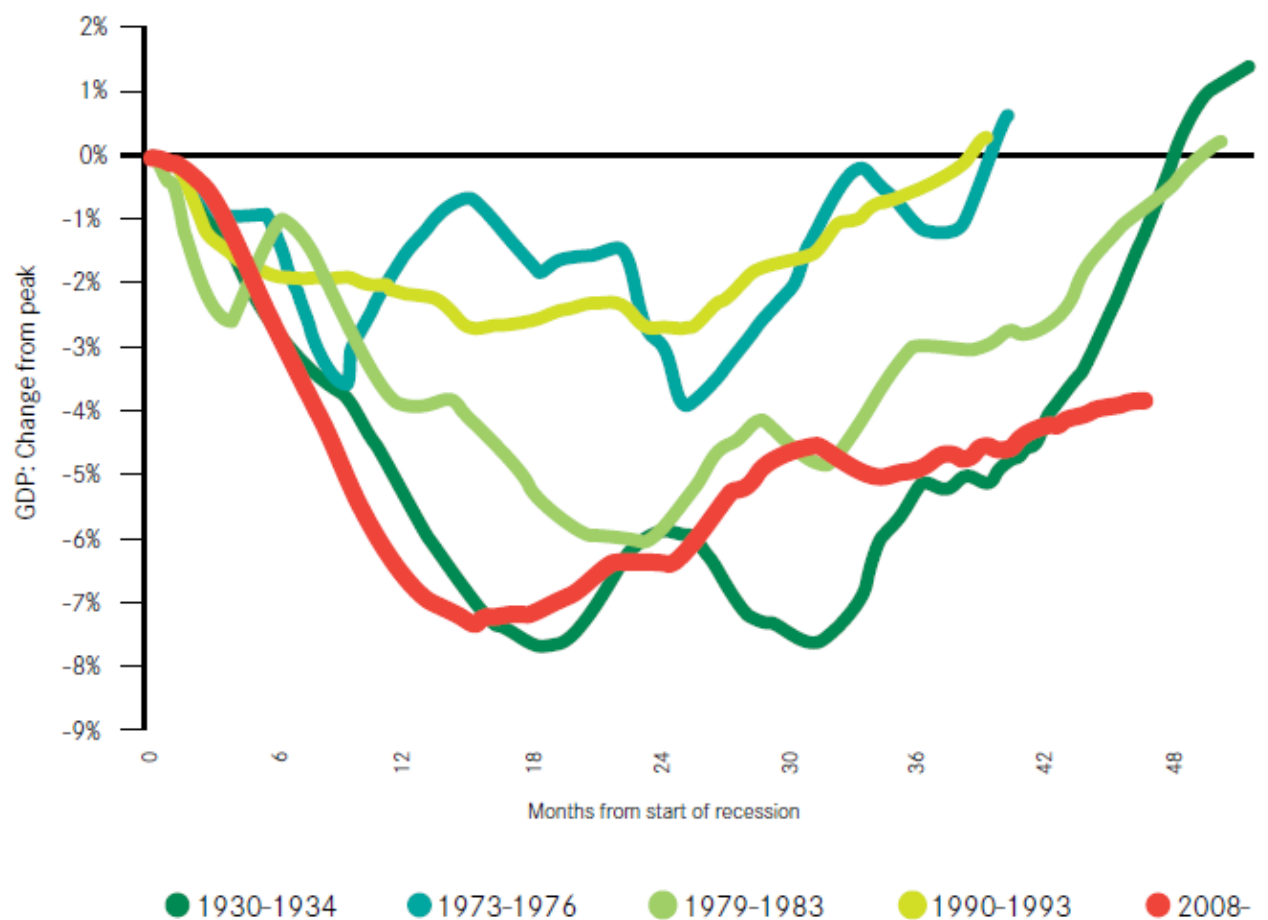
None

Annex 1: Economic Context

1. The last quarter of 2008 and the first of 2009 were characterised by a sharp contraction in world trade, industrial production and GDP growth in much of the developed world. 2009 saw a steep decline in manufacturing output and a similar decline in the service sector. With rising inflation and the near collapse of global financial markets in 2008, business and consumer confidence plummeted.
2. A combination of falling demand, high input costs and difficulties accessing credit has squeezed business profit margins and cashflow. In response many firms sought to conserve costs by cutting staff and reducing or cancelling capital expenditure.
3. UK growth figures since its exit from recession at the end of 2009 have been modest. In the first three quarters of 2011 the UK economy grew by just 1.0%. Growth forecasts remain cautious and the ongoing uncertainty within the Eurozone along with instability in other global economies suggests that the UK economy may be depressed for some years to come.

Table One

The economic recovery has wavered



Source: NIESR (2011) NIESR Monthly Estimates of GDP, 7 December 2011, London: NIESR

4. The Conservative-Liberal Coalition came to power in 2010 with a pledge to reduce the structural deficit, reform the Welfare State, devolve power to local people and communities and rebalance the economy toward the private sector. Significant public expenditure cuts were made along with the abolition of the regional tier of governance (SEERA in the south east) and economic development (SEEDA in the South East) in favour of new private sector led Local Enterprise Partnerships (LEPs). The LEPs were encouraged to define their own functional economic areas in which to direct local economic regeneration.
5. The UK has struggled to rebuild its economy post-recession however and London and the South East are still the main drivers of economic growth in the UK. After London, the South East has the highest GVA per capita and despite some significant pockets of deprivation the area has fared better than many other regions.
6. Within the South East, Brighton & Hove was cited by the Centre for Cities as an area with the potential to help lead the UK economy out of recession (Outlook 2010). The Centre for Cities report highlighted the city's impressive private sector jobs growth from 1998, along with its proximity to London and international markets via Gatwick Airport.
7. The 2012 Cities Outlook acknowledges that while Brighton does not have the scale of cities like London, Manchester and Bristol to drive national/ regional economies, we have particular niche strengths and a knowledge economy cluster which provides the foundation for future growth.
8. The HSBC report describes Brighton & Hove as having the potential to become a 'supercity' over the next 20 years and highlights its access to knowledge and creativity as ingredients that make it well placed to become an 'alternative economic and innovation powerhouse'.
9. From 2005 – 2010 the total GVA produced by the Brighton & Hove economy grew from £4,207,500,000 to £4,830,790,000 – a total change of 14.8%, or £623.29m. However there have been notable differences in growth across industry types. £350m of the £623m GVA growth came from Business Services and Banking Insurance, with 86% of this from Banking & Insurance.
10. Electricity, Gas & Water have grown in value by around £100m, from £130m to £230m or 77%. By contrast Hotels and Catering has contributed around £40m GVA per annum and increase in 25%.
11. The trajectory of these industry types suggests that it is the higher value sectors that are growing and the lower value sectors declining and that the increase in the city's knowledge sector industries is positioning us well for future growth, as existing clusters of businesses and individuals generate momentum in the 'new economy'.

The Rationale for Inward Investment

12. In 2009 the City Council published the Business Retention & Inward

Investment Strategy (BRII). The BRII sought to identify the strengths of the local economy and the sectors that should be focused on for inward investment and indigenous growth.

13. The BRII suggested that the city should focus on those sectors where there was an existing strength that could be developed; the key sectors identified were:

- Food and Drink Manufacture
- High Tech Manufacturing
- Financial Services
- Computer and related activities, incl. Gaming
- Retail
- Other business services (incl. The creative industries)

14. It also suggested that there may be scope for the development of other sectors such as the Environmental Industries and Health.

15. An Inward Investment Board was established in 2009 chaired by the elected Member for Enterprise Employment & Major projects. The Board comprised senior representatives from the private and public sector along with the Universities with the aim of driving the BRII action plan. One of the main challenges for the Board was how to encourage investment in the city's strategic sites and how to attract inward investment that would accord with the city's existing business profile.

16. The advent of the recession saw some key developments stall across the city and many existing businesses hampered from investing in their own business growth due to reduced bank lending and limited access to credit

17. Activity focused on tracking the progress on development sites, building relationships with the city's commercial estate agents by improving the Commercial Property database and working with SEEDA to raise the profile of Brighton & Hove overseas.

18. The BRII identified a number of city strengths and these strengths remain post-recession:

- The city's creativity
- Skills of the resident workforce
- Two world class universities
- High brand awareness
- Quality of life
- Business dynamism
- Strategic connectivity

The Need for Inward Investment

19. The City Employment and Skills Plan (CESP) 2011-14 sets a challenge for the city to create at least 9,600 'high quality' jobs by 2020 if it is to

accommodate its growing working age population; not taking into account likely job losses over the period.

20. The government's deficit reduction programme will see significant cuts to public expenditure. Job losses within the public sector are likely to continue as local authorities and other public services seek to balance their budgets. The public sector accounts for around 19.7% of the business base (2008 latest data) and just over 33% of employment (2010). Evidence suggests that this sector will continue to decline and it is therefore vital that strategies are put in place to mitigate these job losses and the job losses that accrue from private sector businesses that are reliant on public sector contracts.
21. The Centre for Cities report (Outlook 2010) highlighted Brighton & Hove's success in job creation, with over 20,000 additional jobs since 1998. However the CESP notes that much of the job creation occurred between 1998 and 2001, with 5,400 between 2001 and 2005, falling to 3,200 between 2006 and 2008. Part-time employment accounted for 51% of the city's employment since 1998. Although recent cuts to public sector jobs have resulted in a reduction in part-time employment in recent years.
22. The 2012 Cities Outlook shows that Brighton remains at the top of the UK rankings for business stocks per head, but businesses are smaller than average. The challenge is therefore how they can be grown to create employment.
23. The city's GVA is low relative to other localities (89% of the national average), however it is artificially low due largely to the number of students in the city. There are around 40,000 full-time undergraduates and graduates, many of whom will stay in the city to become the next generation of entrepreneurs driving our economy.
24. The presence of two universities is seen as a significant contributor to the growth of the knowledge based industries in the city. Both the BRII and the CESP make the link between the graduate population and growth in key sectors.
25. The land constraints of Brighton & Hove have been well documented. What is known and agreed on is that there is very little brown or green-field land available for development and there is a need to maximise the available commercial space that already exists.
26. Vacancy rates for industrial/ warehousing and office are around 10% and vacancy rates for Grade A office space is around 2%. The main demand is for space between 465m² and 1,850m² (5,000 – 20,000ft²). Many businesses are attracted to Brighton & Hove due to its connectivity to London and the relatively cheap office space. There is also a desire for flexible space, short leases, easy-in/ easy-out terms and rent free periods.
27. In 2002/8 the Brighton & Hove Business directory highlighted 12 key developments that would add new commercial space and employment to the city.

Table Two

Black Rock	x
The Brighton Centre	x
Brighton Marina Inner Harbour	x
Brighton Marina Outer Harbour	Technical start
Brighton Station	Partial
Circus Street	Started
Community Stadium	√
i360	x
The King Alfred Development	x
Open Market	Started
Preston Barracks	x
Yellowwave	√

28. Many of the developments highlighted in 2007/8 were stalled by the recession, while others were unable to get the approvals needed to go forward.

29. The challenge was highlighted recently by the council's Planning department. Around 90% of commercial Planning applications are approved by the Council, however only a small proportion of these have started on site. Many private landlords have sought permission for commercial development but are reluctant to invest without an end user in place.

30. The Strategic Director for Place has initiated a review of key development sites in the city to consider their ongoing viability in light of the current economic conditions. It is likely that some space currently allocated for employment will come under increasing pressure to meet our housing needs in the city.

31. It is evident that this city needs to take pro-active steps to encourage developers to bring forward approved developments and for landlords to upgrade the available commercial space. The city needs a balance of commercial space to accommodate start-up businesses and those that are seeking to expand.

32. The university has highlighted a need for more business incubator space and work is underway to identify a suitable space for an Eco-technology business park.

Who should we target for inward investment?

33. Some of the sectors identified by the BRll in 2009 have weathered less well in Brighton & Hove since the recession, while others have proved more resilient.

34. Table 3 is based on the latest data available from the Business Register and Employment Survey (BRES) – between 2009 – 2010

Table Three

Sector	Employment Growth/ contraction 09 – 10 [n / %]
Food & Drink Manf	-112 / -30%
High Tech Manf	+255 / +24%
Financial Services	-142 / -3%
Computer & Related activities, incl. gaming	+152 / +5.5%
Retail	-489 / -3.5%
Other business services (inc. creative industries)	-552 / -27% (-378 / -6%) → -930 / -11%

Growth in the Environmental Industries

35. In March 2010 the Department of Business, Innovation & Skills (BIS) published an update on their 2009 paper 'Low Carbon and Environmental Goods & Services: An Industry Analysis'. In the period 2007/8 to 2008/9 the global Local Goods & Environmental Services market grew by £150bn (4.7%), to reach a total market value of £3.2 trillion.

36. The total LCEGS market value in the South East for 2008/9 was £13.5bn (12% of the UK Market). The total export market value for 2007/8 was £1.57bn (15% of UK LCEGS exports). The total LCEGS employment for the same period was 117,000 (12.86% of the national total).

37. There is very little data available on the Environmental Industries at a local level. The BRII identified around seventy-five businesses in the sector broadly operating in three categories:

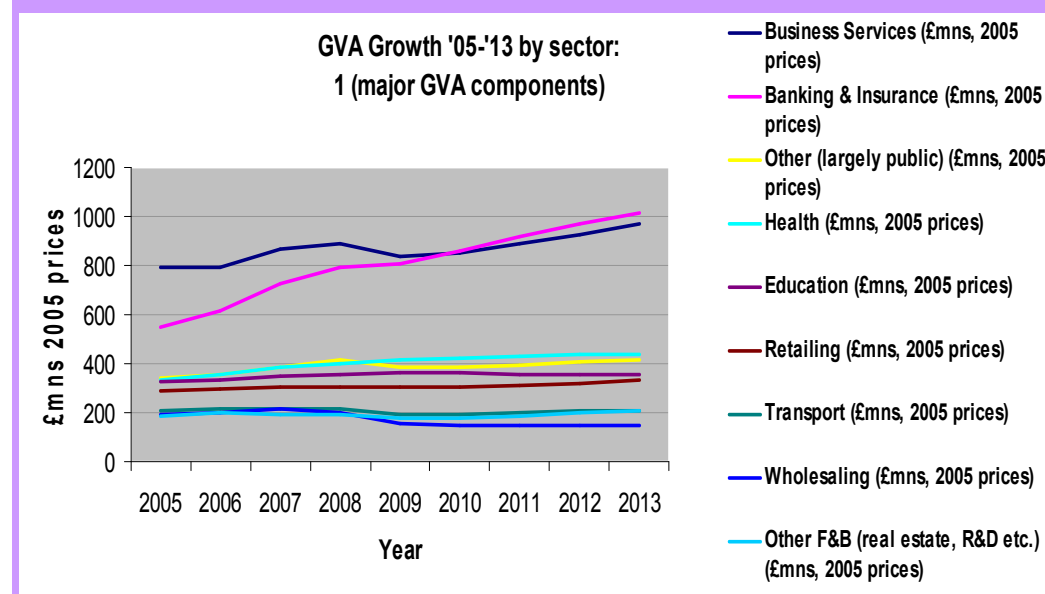
- Commercial and Domestic waste recycling
- Environmental consultancy
- Energy Saving Consultants

38. Table four highlights the growth in sectors with a higher GVA value. It demonstrates that the sectors showing greatest growth are those within the knowledge economy.

Table Four

GVA growth in major added value sectors

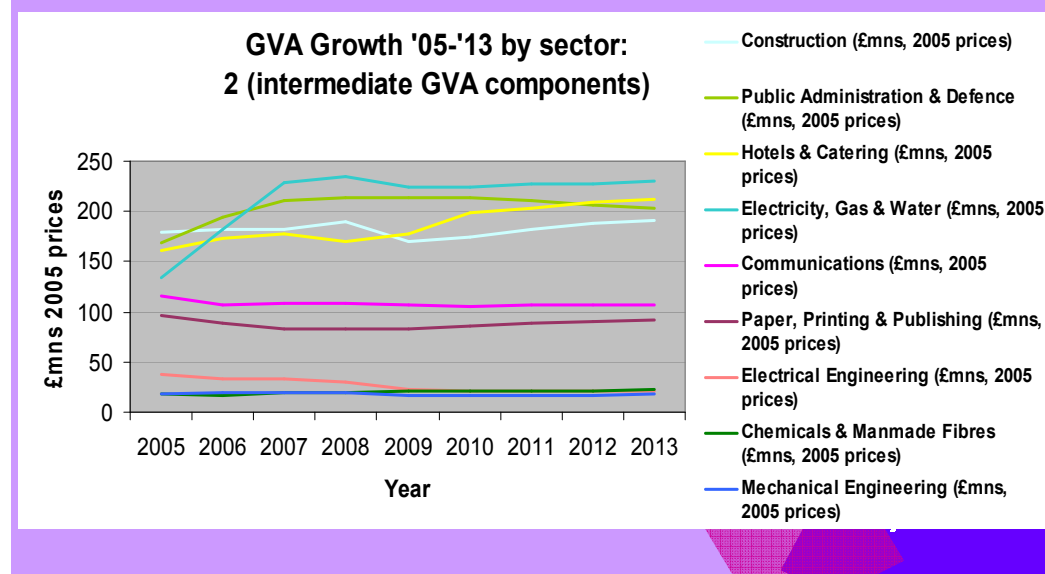
Data provided by Experian – note that 2009 onwards are *projections*. Their GVA components do not match exactly to ONS SIC codes, and we need to better match these to improve comparisons and understand key sector GVA contributions.



39. Table five shows that the higher value intermediate GVA industries have grown at the top end, remained relatively static in the mid range, and remained static or declined in the lower range.

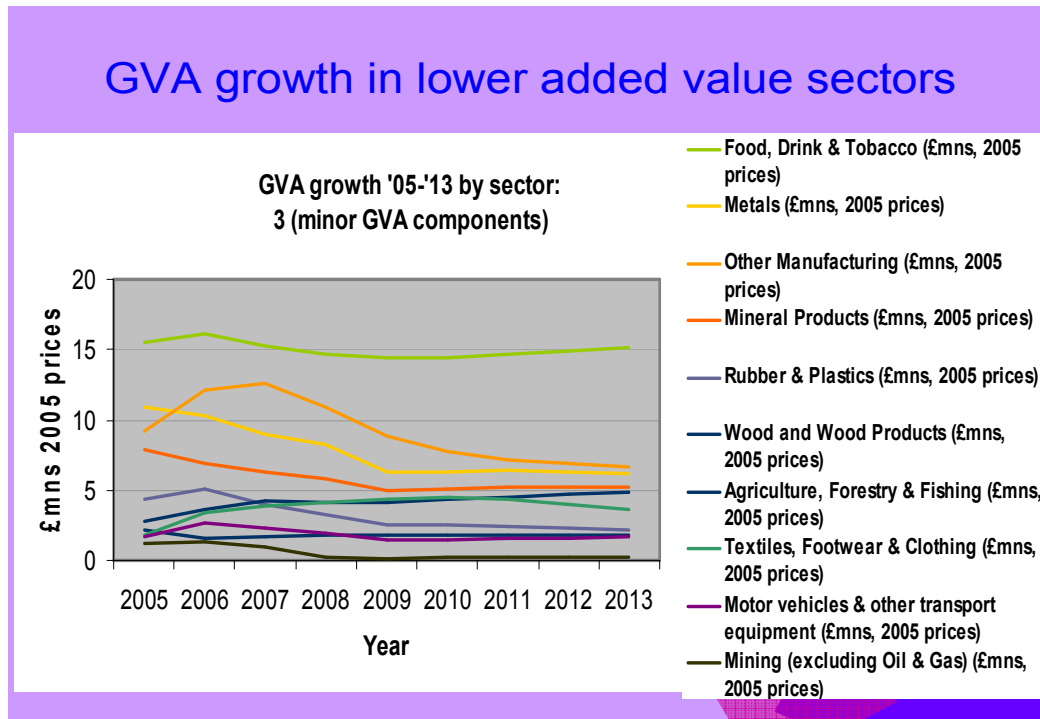
Table five:

GVA growth in intermediate added value sectors



40. Table six indicates that the lower value sectors have remained static or have declined over the same period.

Table six



41. It is clear then that if Brighton & Hove wishes to meet its employment targets, increase productivity and grow the business base there needs to be a proactive strategy to ensure that the city attracts and retains key businesses and key business sectors.

The Economic Development Commission

42. In spring 2011, following discussion at the Public Service Board the Strategic Director for Place at the City Council chaired the Economic Development Commission - a series of meetings with relevant stakeholders to revisit three main areas:

- Employment & Skills
- Business and Enterprise
- Development enabling

43. As a result of this consultation it was generally agreed that the city would need to develop a strategy to attract investment and to grow its existing business base. Three actions were agreed upon:

- A city Prospectus
- A City Expo
- A revised Economic Strategy

The City Prospectus

44. The aim of the prospectus is to set out the investment offer for businesses in the UK and overseas. The content will focus on all areas of the city that influence investment decisions. The summary in appendix one provides an outline of the areas that would need to be included in the prospectus.
45. The available information suggests that the focus for inward investment should be businesses in the key sectors identified in the BRII as these sectors are already operating in the city. There is evidence of sector growth and there are opportunities to link the graduate pool to future jobs.

Questions

Are these the most appropriate sectors to target?

There can be higher variations within sectors than between them in many cases. Sectors are too broad a category – we should focus on sub-sector 'interdependencies'. We have low Co2 due to a low manufacturing quotient but green tech is linked to some manufacturing sub-sectors. We should also identify sub sectors to support the city prospectus.

What is the Brighton & Hove offer to investors for each of the identified sectors?

Investors will look for supply chains that complement their needs.

Skilled workers are an important component.

Proximity to markets e.g. Gatwick, London supply chain and logistics.

Our local market structure favours smaller, dynamic, higher value added operations which are final-demand oriented (e.g. Solar PV rather than windfarms). An exception is the (co) production of knowledge and digital / creative content.

What countries/ cities do we need to target?

Regional (UK / EU / Global) knowledge centres with Knowledge Based Industry (KBI) growth, capturing 'spillover' to feed our cluster development.

Are there particular firms that we need to target?

The city has benefited from high profile businesses moving into and expanding their operations here, e.g. Amex, Disney Club Penguin.

How are we set up to respond to enquiries from each of these sectors?

Businesses interested in our city may approach a number of individuals/ organisations for information; do we provide a coherent offer? What more can be done to ensure that opportunities are not lost. How will any inward investment service be resourced and funded?

What are the potential obstacles for businesses wishing to locate here? How can they be overcome?

How can we make the most of our assets and mitigate some of the challenges to locating in our city?

Who else needs to be involved in developing our offer?

What other agencies, individuals and/or organisations have a role in branding and marketing our city?

What organisations/ individuals are available to offer Investor Development (aftercare)?

Once businesses arrive in our city how can we ensure that they stay, grow and have access to the business support that they need?

Invest in Brighton & Hove – City Prospectus

This is a scoping paper that aims to identify the scope of future work needed in order to develop a city prospectus. The purpose of a city prospectus is to attract more businesses and investors in the city of Brighton & Hove.

This paper outlines the proposed content of the city's prospectus, the media that can be used to promote it and provides examples of existing websites that other cities use to attract investors and businesses.

Topics to be covered in the prospectus

- Foreword – The city at a glance (e.g. transport links, skilled workforce, business start ups, business support, quality of life). Marketing pitch - If the foreword was saying there are 3 key compelling reasons to invest and locate in B&H these might be themed throughout the website and documentation – lasting images or impressions of what you would be buying into.
- Show case key employers, clusters and niches (give a sense of what is key to the local & regional economy and also the business and knowledge networks that provide competitive advantage).
- Showcase of major projects (1. A sense of what we have achieved in the recent past. 2. What is happening now (e.g. consented schemes and those under construction). 3. What is up and coming. 4. Long term ambition)
- Facts and figures
 - Infrastructure and Transport links
 - Rents per sq foot
 - Commercial development sites
 - Population growth, skills, employment rate (incl. languages)
 - Travel to work and employment catchment
 - Skills
 - Number of businesses, sector analysis (business to business & business to consumer)
 - Telecoms infrastructure
 - Earnings and disposable income
 - Visitors – market segments
 - Quality of life (e.g. house prices, community safety and crime, culture, festivals, places to live (including those in the wider region for exec market, retail, restaurants & café culture), the natural environment, sea, Downs and surf etc.)
 - People services – health, social care, advice etc
 - Retail spend
- Business support available (including links to directory of partnerships, specialist business associations etc.
- Testimonial from businesses about the city, its workforce, the business support that they have received from the Council and other agencies, their decision to invest/expand in the city.
- List of recent investors and existing businesses that have expanded (need to capture in this the sense of entrepreneurial dynamism).
- Map of development sites and small description of them.
- List of sites and properties available for development and letting - public and private ownership.
- Case study of an investor.

- Contact details for Economic Development and other business partnerships.

Media

- Prospectus (electronic file), Newsletters
- Website which includes items such as:
 - Why invest in the city (small description with quick links to the following topics)
 - How we can help (e.g. business support, property search, etc)
 - Video which promotes the city
 - An electronic version of the city's prospectus that can be downloaded
 - Description of development sites
 - Interactive map with the location of the development sites
 - Virtual Brighton –one example - <http://blog.virtualviewing.co.uk/3d-showcase/>
 - Property search
 - Operational costs (e.g. rent prices per sq foot, tax, business rates, etc.)
 - Travel links including a map (a good example is on <http://liverpoolvision.com/A Place to Invest/Connectivity.aspx>)
 - Economic overview
 - Sector analysis
 - Quality of life
 - Newsletters
 - Events
 - Latest news
 - Links to other websites
 - Contacts

Examples of existing websites aiming to attract investors

Gloucester - <http://investinglos.com/>

Manchester <http://www.investinmanchester.com/>

Nottingham <http://www.investinnottingham.co.uk/default.asp?PageID=1>

Southampton <http://www.invest-in-southampton.co.uk/>

Belfast <http://www.belfastcity.gov.uk/investinbelfast/>

Liverpool <http://www.investmerseyside.com/>, <http://liverpoolvision.com/>

Birmingham <http://www.birmingham.gov.uk/aip>

UK <http://www.ukti.gov.uk/invest.html?quid=none>

London Borough of Newham

<http://www.newham.com/invest/home/home/0.10.0.0.html>

Auburn <http://www.auburn.nsw.gov.au/Business/Pages/business.aspx>

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 11

Brighton & Hove City Council

Subject:	Peter Pan leisure site, Madeira Drive - Development proposal		
Date of Meeting:	21st June 2012		
Report of:	Strategic Director Communities		
Contact Officer:	Name:	Toni Manuel	Tel: 29-0394
	Email:	toni.manuel@brighton-hove.gov.uk	
Ward(s) affected:	East Brighton		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To seek approval to grant Landlord's consent, subject to final determination of Heads of Terms by Policy Resources Committee, for the Brighton Bathing Pavilion development on the former Peter Pan site on Madeira Drive.
- 1.2 This report details the process that officers have undertaken to market this site for redevelopment and selection process which has resulted in the preferred developer being chosen.

2. RECOMMENDATIONS:

- 2.1 That the Economic Development & Culture Committee agree to grant Landlord's consent for the Brighton Bathing Pavilion development on the former Peter Pan site on Madeira Drive.
- 2.2 That officers negotiate Heads of Terms for the required Agreement to Lease and Lease to be approved by Policy & Resources Committee.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The site on Madeira Drive to the west of Yellowwave, formerly known as the Peter Pan Amusement Park, has been vacant for several years. In September last year the site was marketed nationally by agents Oakley Commercial on behalf of BHCC. An advertisement was placed in the Estates Gazette and a site brochure was produced (see appendix 1). The brief was for a leisure development opportunity and 10 applications were received.
- 3.2 A panel comprised of officers from Seafront, Tourism, Estates and Planning along with the agents assessed the applications using a scoring matrix to determine the strongest proposals. The assessment revealed that 2 of the proposals closely matched the criteria and scored significantly higher than the remaining applications. These 2 proposals were therefore shortlisted for interview.
- 3.3 Presentations were made to an interview panel of Strategic Director for Communities, Seafront Development Manager, Seafront Estates Surveyor and Marketing Manager - Visit Brighton and representatives from Oakley Commercial Agents.
- 3.4 The proposal called the 'Brighton Bathing Pavilion' presented by the Karma Royal Group was chosen by the panel as the preferred development. The scheme is modelled on a spa resort and comprises 5 pavilions; an indoor/outdoor Children's Club, a year round Spa and Health Centre, a Beach Club and restaurant, an outdoor swim and bathing area and a member's club with library (see appendix 2, 3 & 4).
- 3.5 Of the 5 zones featured in the scheme, 4 of these, the Children's Club, Spa and Health Centre, Beach Club and restaurant and outdoor swimming pool will be available to all members of the public. The 5th zone, the Member's club, will only be available to users who hold a membership with the Karma Royal Group. The proposal would provide a year round, high quality, inclusive and family friendly facility which officers consider would compliment existing uses within the area.

The developer, The Karma Royal Group, is internationally renowned, owning and operating award winning resorts and spas across the world. The Brighton Bathing Pavilion will be their first venture in the UK and the proposal is for a new iconic attraction for local people and tourists in Brighton & Hove.

- 3.6 The Brighton Bathing Pavilion is an exciting and unique development opportunity which will provide a high quality and sustainable attraction for the seafront. The emerging Seafront Strategy identifies Madeira Drive as a key area of the seafront in need of regeneration. Building on the success of the Seafront Development Initiative between the two piers the council's vision is to establish Madeira Drive as an all year round leisure destination for residents and visitors alike. Existing businesses on Madeira Drive already present an assortment of leisure opportunities for a variety of different user groups. Examples include Yellowwave for active young people; Peter Pans playground providing free family play facilities and Concorde II live music venue providing nighttime entertainment for young adults. The addition of the Brighton Bathing Pavilion to the seafront portfolio will not only provide a new public attraction and directly enhance the site but it will perfectly complement the existing uses adding to the overall offer on Madeira Drive.

- 3.7 The Brighton Bathing Pavilion would not only provide a unique and attractive facility for residents of Brighton & Hove but the concept also meets latent visitor demand. The scheme would deliver much needed enhancement of the built environment as well as significant employment and training opportunities.

The project would support approximately 300 new jobs and The Karma Royal Group envisage working alongside educational institutions such as City College and University of Brighton to deliver vocational training opportunities and work placements.

- 3.8 The proposal builds upon the traditions of the city from 250 years ago and the practices of the celebrated Dr Richard Russell. His recognition and promotion of the health giving properties of water and of the seaside are credited as being responsible for the transformation of the village of Brighthelmstone to become the town and eventually the city we now know. The concept of this proposal is truly bespoke to Brighton bringing the heritage of sea bathing back to where it all began, yet delivering a contemporary and international flavour to reflect the unique essence of the city today.
- 3.9 The building design will seek the highest aspirations of a Zero-Carbon footprint. Energy systems will embrace the site's unique characteristics to harness renewable energy generation. On site energy production may involve solar-electric (photovoltaic), solar-thermal, bio-mass and CHP, geo-thermal and air-source-heat recovery in addition to a super-insulated building fabric. Designed with a sustainable ethos the building will maximise solar gain and natural ventilation. The baths are 'naturally aspirated' buildings using durable and high-quality materials from local sustainable sources. Carbon-off-setting for in-direct energy-consumption will be considered and where relevant 'Re-Forestation' schemes and investment into positive-energy production will be offered. Construction will embrace the potential for training and look to benefit local suppliers and craftsman as much as practicable.
- 3.10 The development site is currently an enclosed hardstanding which is located to the north of the Volks Railway line and has remained vacant for many years. The proposal seeks to use the whole of the existing site to the fence line. Crossing points over the railway line connecting the beach to Madeira drive will be maintained. Therefore there will be no changes to public beach access as a result of the development.
- 3.11 The project is fully funded through private investment and does not require support from either the banking sector or the council. The level of investment from the developer will be approximately £5 million. As a result of the development of this vacant site and the creation of direct and indirect employment the annual economic impact of this scheme is considered to be in the region of £10 million.
- 3.12 Officers will negotiate the Terms for a Lease to provide a substantial rental income acknowledging the major investment in the site proposed by the developer. It is envisaged that an Agreement for Lease will detail the full extent of the works to be carried out by the developer. Officers will seek to finalise Heads of Terms as quickly as possible and seek approval thereto by Policy & Resources Committee.

- 3.13 The developer intends to undertake a public consultation exercise this summer utilising the site for marketing and promotional activities.
- 3.14 Planning permission will be sought by the developer following Landlord's consent and public consultation.
- 3.15 It is envisaged that subject to all permissions being granted the developer could commence building on site early in 2013.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 At a Scrutiny Committee workshop to discuss the Seafront Strategy all Members were in agreement that the focus going forward should be on the regeneration of Madeira Drive and in particular the vacant Peter Pans site.
- 4.2 A representative from the Local Planning Authority took part in the shortlisting of the applications.
- 4.3 A pre-application meeting has been held between the Planning team and the developer architects and the initial responses to the design have been favourable.
- 4.4 Officers within the Tourism and Visit Brighton teams welcome this attraction and consider it meets a latent visitor demand.
- 4.5 The developer intends to undertake a public consultation exercise this summer utilising the site for marketing and promotional activities.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The financial implications will be determined by the negotiations on the Heads of Terms which will need to be based on a sound business case and ensure that best consideration is met whilst addressing the key points as detailed in 5.2.1. below.

Finance Officer Consulted: Michelle Herrington: 21/05/12

Legal Implications:

- 5.2 The proposal will require considerable investment and the developer has suggested leasing arrangements and a rent holiday will need to reflect this. However there has been no negotiation on the Heads of Terms and the council must satisfy the requirements of best consideration under s123 Local Government Act 1972. Key points which need to be agreed include the following:

General terms of the Agreement for Lease and the Lease
 Extent of design control/input by the council
 When the lease gets granted – before or after practical completion?

Premium and rent arrangements
Period of the lease

- 5.2,2 When the proposed Heads of Terms have been agreed it is proposed that they be approved by Policy & Resources Committee.

Lawyer Consulted: Bob Bruce: 21.05.12

Equalities Implications:

- 5.3 The facilities will be designed to be DDA compliant. Pricing-to-suit-means and memberships will ensure that the proposal is open to all and seen as a local resource for local people.

Sustainability Implications:

- 5.4 The building design seeks the highest standards of sustainability. Energy systems will embrace the unique characteristics of its seafront location to harness renewable energy generation optimising sustainable productions.

Crime & Disorder Implications:

- 5.5 The facility will be open all year round and into the evening therefore providing additional controlled activity and security in a currently underutilised area of the seafront.

Risk and Opportunity Management Implications:

- 5.6 Two developers were interviewed and both proposals were strong in terms of their leisure use and compatibility with the brief. However, the panel felt that the Brighton Bathing Pavilion proposal was the stronger of the two on financial, architectural and reputational grounds. Existing businesses within Madeira Drive will benefit from the new investment and increased footfall.

Public Health Implications:

- 5.7 This proposal will provide a facility where local residents can undertake exercise and promote wellbeing in a high quality, relaxing environment.

Corporate / Citywide Implications:

- 5.8 This proposal will provide employment and training opportunities for local residents and will act as a catalyst for the regeneration of Madeira Drive which has been identified as one of the key elements of the emerging Seafront Strategy.

SUPPORTING DOCUMENTATION

Appendices:

1. Peter Pan site brochure

2. Brighton Bathing Pavilion UK Presentation
3. Brighton Bathing Pavilion Presentation (version 6) by Liam Russell Architects
4. Brighton Bathing Pavilion Addendum (version 1)

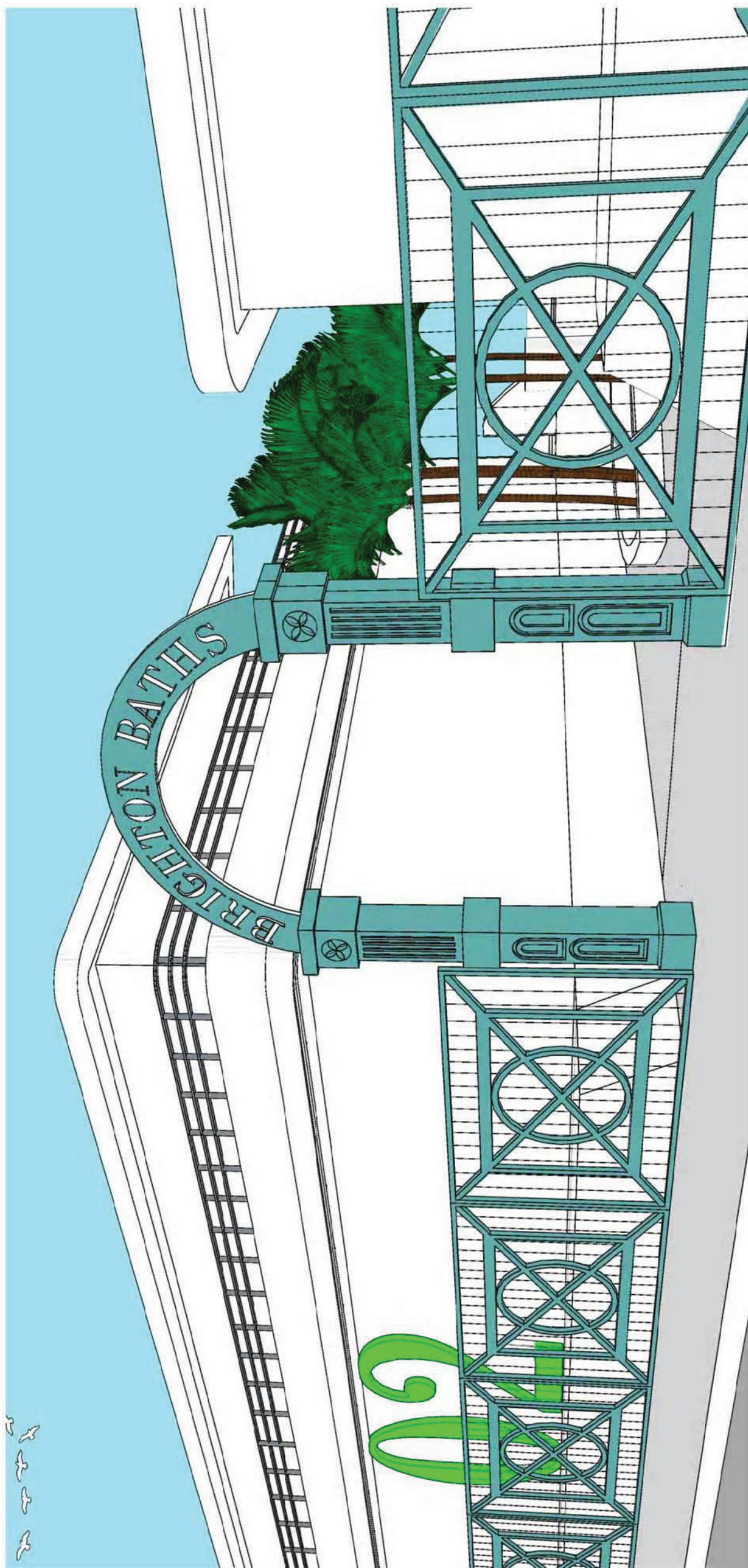
Documents in Members' Rooms

1. Brighton Bathing Pavilion Presentation (version 6) by Liam Russell Architects

Background Documents

- 1.

*A unique proposal for the Former Peter Pan site
Madeira Drive, Brighton and Hove*



1.0	Introduction
2.0	Karma Resorts
3.0	Project Team
4.0	Site Assessment
5.0	The Concept
6.0	Design Response
7.0	Construction and sustainability
8.0	Access
9.0	Conclusion
AR.	TIST'S IMPRESSION
AP.	PENDIX
	Concept drawings and information
	Contact Details
	The Karma Royal Group Company Profile

The Former Peter Pan site ("the site") is located on the southern side of the promenade running parallel to Brighton's Madeira Drive.

The site is irregular in shape and has some more immediate features such as the Volks Electric Railway line running contiguous to the length of the southern site boundary from east to west. Further to the east, a popular leisure attraction called the Yellow Wave is located south of the Volks Railway line.

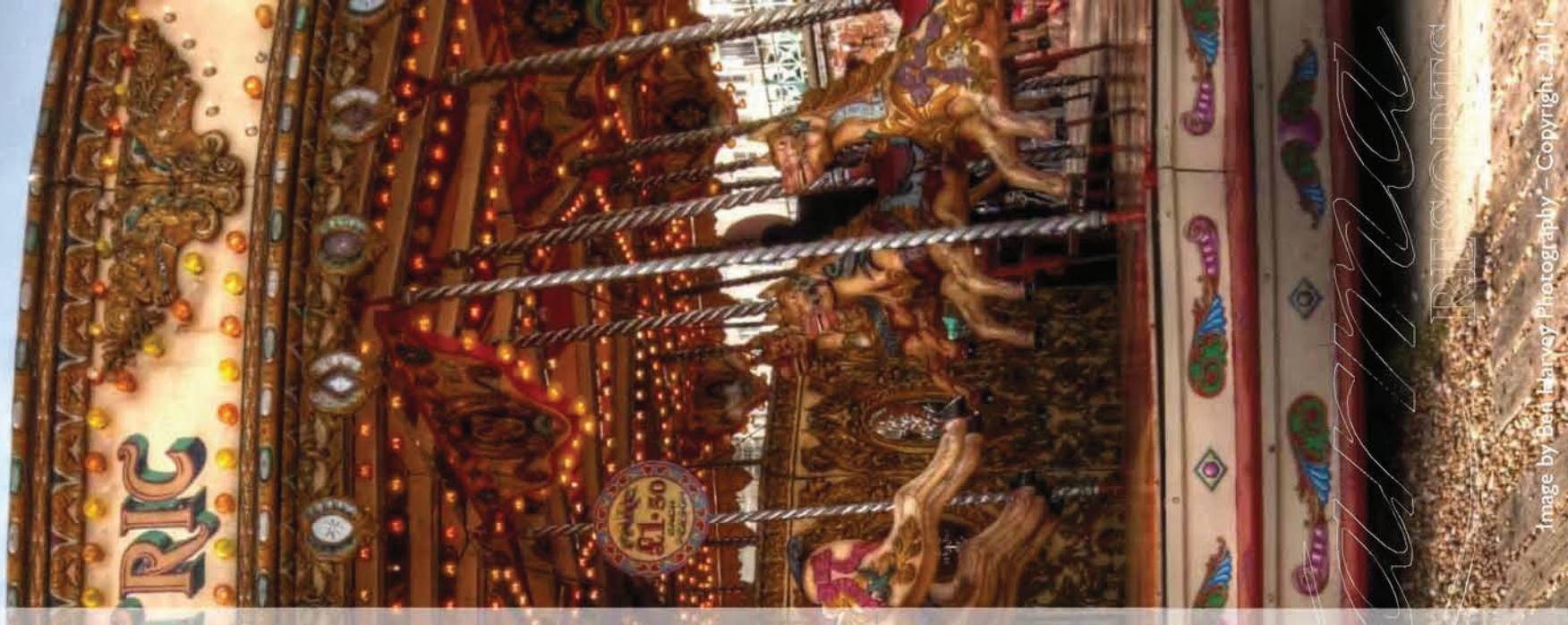
The Yellow Wave Beach Sports Venue is a sports attraction for children and adults alike; the main sports are volleyball and beach-football. The Yellow Wave integrates well with the beach area and its grounds comprise mainly imported sand to create the ideal conditions. The Yellow Wave has a food and beverage area that serves a good standard of food along with drinks including alcohol and this sits alongside the sand covered volleyball courts.

Further east again lies a popular playground for small children which contains water features and climbing equipment along with a small food and beverage area. Continuing from there one will eventually pass Dukes Mound, Black Rock, the end of the Volks line (with its small station-platform) and then reach Brighton Marina.

Northeast of the site can be found the Concorde 2 - a live music venue attracting world renowned acts such as The Foo Fighters. This is a multi-generation venue and has national appeal.

Immediately west of the site lies a run of unsightly roofing-felt covered sheds and then a stretch of beach uninterrupted for approximately one third of a mile until the Volks Railway station and beyond that the Palace Pier. Adjacent to the Volks Railway station, on the north side of Madeira Drive, is the Volks Bar and Club and other non-residential uses (mainly food and beverage).

The site itself comprises mainly hard-standing and low quality fencing. The site's main issues are the Volks Railway line (interrupting its connection to the Beach) and its irregular shape. This proposal looks to overcome these issues with an inspiring and practical solution - contributing to the unique nature that makes Brighton and Hove a destination with worldwide appeal.



2.0

Karma Resorts

This bid proposes to fill a niche corner of the leisure and entertainment market here in Brighton and Hove. The proponent for the project is the Karma royal - an international company and brand led by Old Brightonian John Spence (2 of his 3 group directors are equally Old Brightonians). The karma royal group, led by the enthusiasm and energy of John, as well as being acclaimed internationally, has significant resources to guarantee the required support to sustain their proposed investment for Brighton and Hove and ensure a successful partnership with the city. The funding requirement will come from in-house funds and there is no need for external support.

On 15th June 2003 the karma royal group launched the first Karma Resort - Karma Jimbaran, located in Jimbaran Bay, Bali Indonesia. Since then Karma has developed a new wave of luxury resort offering lifestyle, elegance, value and creativity exceeding the industry's highest benchmarks. Karma Resorts is constantly evolving to provide a fusion of guests' individual needs and desires with a focus on the elements of luxury lifestyle, space and value.

John's extensive experience in resort development, particularly through the ownership of his current company, spanning 18 years, affords John worldwide credibility and a strong understanding of the concept, vision and materialization for Karma Resorts. In 2010 John was awarded the 2010 Ernst & Young Australian Entrepreneur Of The Year, and is a frequent speaker and advisor at industry conferences and events.

The karma royal group now owns and operates 18 resorts, and a wide range of related amenities including spas, restaurants, beach clubs, conference centers and retail outlets.

A detailed overview of Karma is attached - see appendix for accompanying literature.

3.0

Project Team

John and his team at Karma Resorts will be supported by locally based Architectural and Construction specialists who already have a working relationship with Karma. Extensive work has already been carried out to ensure the viability of the project and a realistic phasing of works to ensure the earliest opening date has been envisaged. The Architectural and Engineering challenges have been considered fully in the pre-evaluation process.

RIGHTON BATHING PAVILION

Karma
RESORTS

From the moment the team began work on the proposals, it was clear that a unique opportunity presented itself in the form of the site's location; Brighton Beach is unique and as such requires a unique solution.

Characteristics of the site which have been re-evaluated to be opportunities are as follows:

- The proximity to Madeira Drive
- The location of the Volks Electric Railway
- The lack of a similar type of use to offer more opportunity to the consumer
- The proximity to other uses on the beach such as the Concorde 2 and Yellow Wave

Technically, there are a number of considerations that have affected the current proposals:

The irregular nature of the site is not ideal. The length of the site demands a fragmented approach so as not to create the affect of another impermeable boundary similar to the fences already running the length of the promenade. The boundary should feel open whilst not compromising the security and practicalities of managing the site. A series of buildings rather than one single building is therefore proposed.

The level of the site highlights the affect of the Volks Railway which divides the beach from the site. Ideally a soft (but safe) approach will be taken to the way that the beach and proposed site integrate with one another. It is the intention of these proposals to improve and enhance the current situation. As a minimum the current fencing can be replaced with something high quality that suits the proposals and matches the ambition of the seafront as a whole. In addition a slight raising of the terraces and the external spaces will be proposed to accommodate a more direct relationship with the beach and sea beyond.

It was anticipated that the height of the development would be restricted to approximately two storeys and no higher than the upper tier to the Madeira Drive arches - this has been subsequently confirmed with the Local Authority. The result will be the need to find a compromise between multiple buildings on the site whilst providing feasible commercial accommodation and usable external space. This brief proposes an optimum configuration taking these points into consideration.

5.0

The Concept

The project concept is to create an amenity called the BRIGHTON BATHING PAVILION. This will comprise a number of constructed pavilions, external areas, and seasonal temporary covered areas. Primarily the area will be divided into 5 zones with each serving a specific purpose.

5.1 Pavilion 1 – Karma Spa

We will develop a full service spa providing a range of treatments varying from the traditional; massage, pedicure, etc to the more alternative and unusual; crystal healing, soul pulling, etc. Additionally the spa will have a 'wet' component and will provide year round treatments and options. The spa will also offer Pilates, Yoga and related studios... as well as a small retail area and juice bar.

5.2 Pavilion 2 – The Peter Pan playground

Karma we will develop an outdoor/indoor children's play facility incorporating a small wet fun amenity area; the emphasis will be on a combination of play and fun-educational activities and will be fully structured and managed.

5.3 Pavilion 3 – Nammos

Under Karma's beach-restaurant brand a bar/restaurant concept will be developed to provide a combination of great food and drink along with live entertainment in the form of DJ's and bands – it will be a year-round venue and will include internal space for bad weather as well as a terrace for the summer.

5.4 Pavilion 4 – The Karma Club

Karma will develop a private members' club which will be open for membership. This will include a members' bar, a library, and internet lounge and meeting rooms. Members will benefit from not-only this amenity but also membership to our worldwide clubs giving access to our global resorts. We will also try and develop a small local hotel (we have already sourced a potentially suitable site) to provide a local accommodation component for this club and amenity.

5.5 Pavilion 5 – The Bathing Machines (external and temporary summer area)

Karma will develop an area primarily operational in the summer that will include a pool and outside terrace. Additionally there will be private cabanas designed like historical bathing machines available for daily rent – this area will also be suitable for functions.

6.0

Design Response

6.1 Site Layout, density and site coverage

The site layout is configured to provide four separate pavilions and external areas; there are three two-storey pavilions providing a Gross Internal Area (GIA) of approximately 300sqm and a smaller pavilion with a GIA of around 125sqm. The pavilions run from east to west along the northern edge of the site. The external spaces are situated along the southern edges of the site and face/lie between the beach and sea. Access to each Pavilion is provided via landscaped promenades.

The proposal has deliberately balanced site-coverage with open/external space to ensure that the proposal maintains the openness of the seafront whilst presenting a coherent site layout/venue.

6.2 Scale, mass and volume

The scale of the proposal has been designed to read as one whilst not being over-bearing from any one viewpoint. The setback design of each two-storey building's upper level also helps diminish the mass of each building to disguise the actual amount of volume required (therefore provided) to host the high quality facilities.

6.3 Appearance

The design of this proposal is deliberately evocative of the Art Deco style which is often described as modernist and/or minimalist. Art Deco is synonymous with style, leisure and adventure. The intention of the proposal, from the outset, has been to evoke a sense of fun and fantasy. The building can therefore withstand architectural scrutiny whilst acting as a backdrop to the themed internal spaces and sense of play which the proposal will ultimately be known for. It is envisaged that the design of the pavilions will be regarded in much the same way as the De La Warr Pavilion in Bexhill which attracts around 1 million visitors each year who enjoy the iconic architectural back-drop of the building with its constantly evolving internal functions.

6.4 External spaces and landscape

The proposal will provide a variety of external spaces and landscaped areas; sand, hard-surfacing and water features will form the main external seating and activity areas. The landscaped areas will include local species of 'wild' grasses, flowers and plants alongside more exotic species such as Arecaceae (palm tree) and other attractive flowering exotic plants.

7.0

Construction and sustainability

The design team has been tasked with building the most sustainable development it can. The ideological principle of the sustainability in this proposal is a building that lasts for as long as possible with the lowest energy use (for its lifetime) and a minimal affect on the environment. The design team sees more relevance in the Passivhaus standard than other grading systems such as the Code for Sustainable Homes. Rainwater attenuation, low energy fixtures and fittings, on-site energy harvesting and super-insulation are all to be employed within the detailed proposals. Ultimately the design team regards the provision of a 'flexible building' as another often-overlooked characteristic of sustainable design i.e. as a requirement of the brief the building should be designed to accommodate adaptation for other uses in the future and if/once the original brief has been outlived.

Embodied energy is something the Design Team is mindful of and will continue to be as we move forward. It is however the intention to focus on materials that are durable and long-lasting whilst being sourced where possible from local suppliers.

8.0

Access

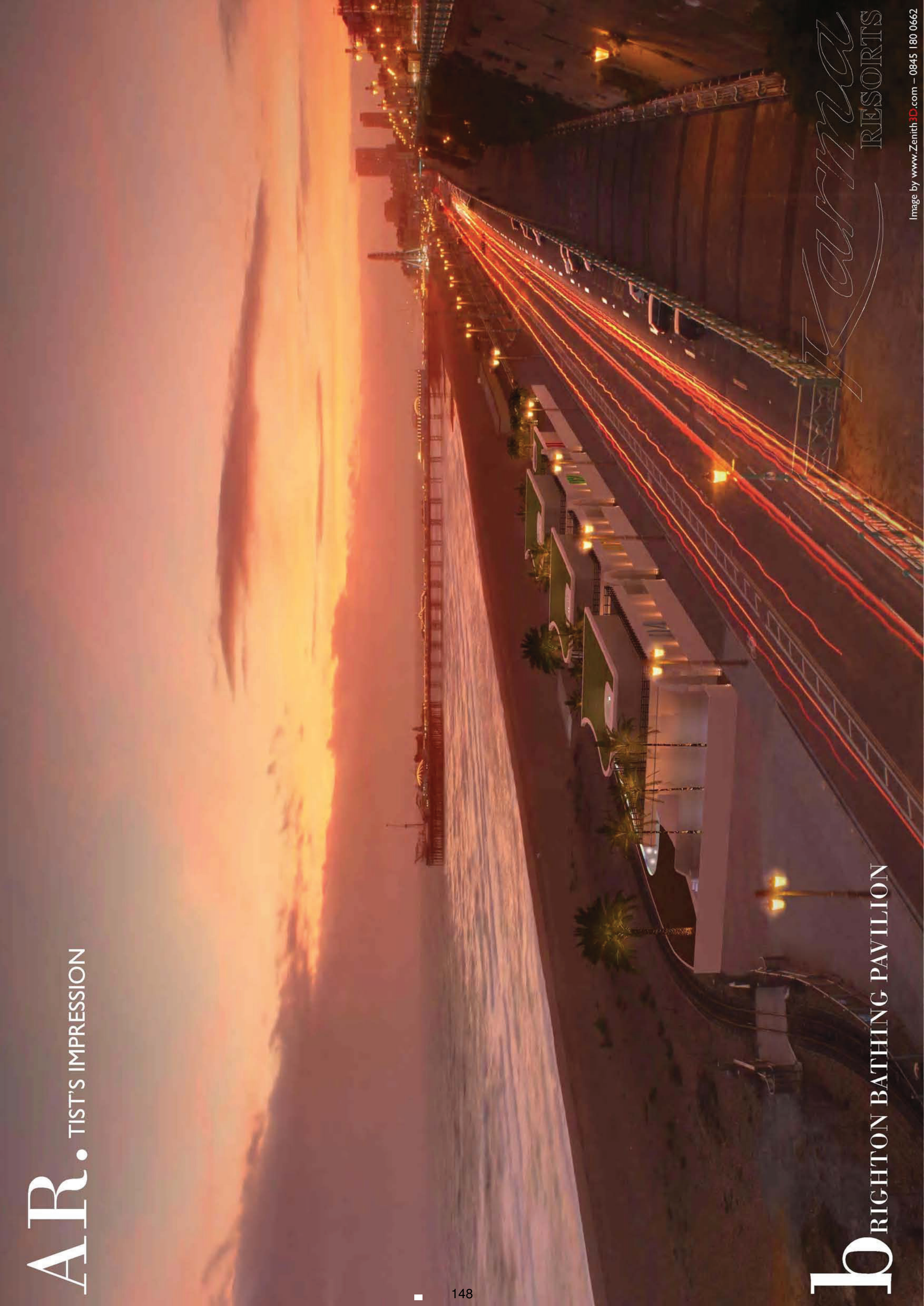
The proposal is ideally located for every type of sustainable transport mode. The proposal can be reached by foot, by cycle and by public transport. The site discourages car use (by not providing dedicated parking) whilst also (and practically) having a large number of spaces (on-street) for public use that can also be used for the proposal. Covered and secure cycle spaces will be provided in addition to well-lit external spaces for night time use and winter months.

Full accessibility will be provided for ambulant and disabled users and little or no distinction will be made in any of the areas designed to accommodate such requirements – the proposal will be open and accessible to all.

9.0

Conclusion

Karma Resorts and its design team are delighted to be able to present our submission to you. Our proposal is, naturally, subject to more detailed discussion however we trust it confirms our very real interest in working with Brighton and Hove City Council on what we believe can be a landmark series of buildings.



000	Site Plan as existing
001	Ground and First Floor Plans
002	Roof Plan and Long Section A-A
003	North Elevation and South Section / Elevation
004	Typical Pavilion Elevations
005	Typical Pavilion Plans – indicative Karma Spa shown
A.	Sketch Image - Looking North East from the Beach
B.	Sketch Image – Bird's Eye Looking West
C.	Sketch Image – From The Arches Looking East
D.	Sketch Image – From The Proposals Looking West
E.	Sketch Image – From The Proposals Looking North
F.	Sketch Image – Looking At The Proposal's Entrance
G.	Sketch Image – Looking Along Maderia Drive At Proposal
	Contact Details
	The Karma Royal Group Company Profile



Karma RESORTS



Liam Russell Architects
architecture and development

The Bridge, 3 Broad Reach Place, Ruspington, Gloucestershire, GL10 3JF, UK
 +44 (0)1453 180 3676 / +44(0)1453 180 3675 info@russtellarchitects.com
 Liam Russell Architects Ltd registered in England and Wales 04795326

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GROUND FLOOR PLAN

10

/ Peter Pan's Playground

02

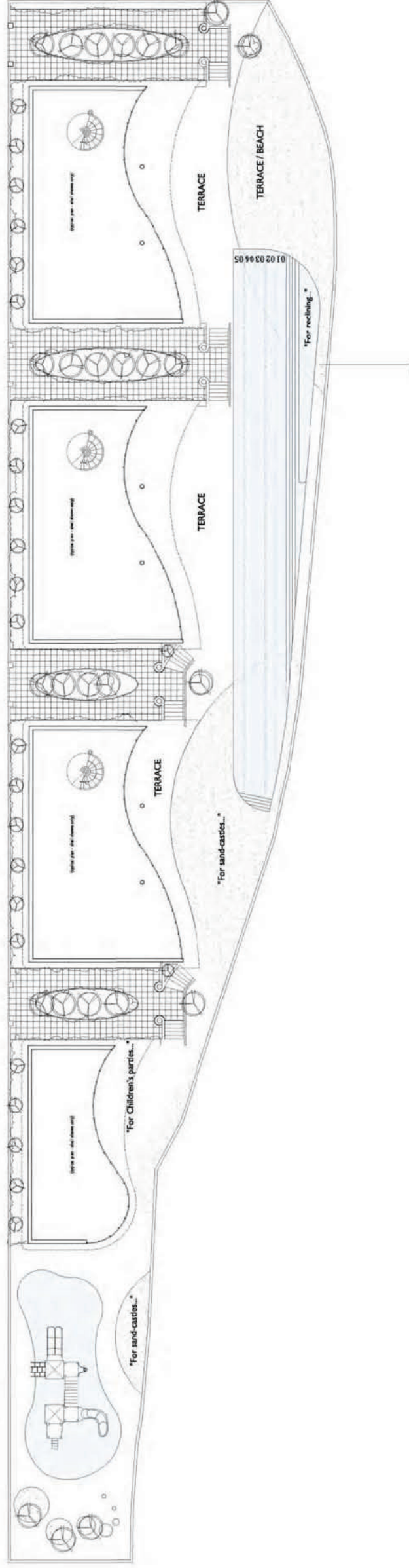
/ Karma Spa

03

/ Karma Club

04

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A-A

A-A

FIRST FLOOR PLAN

01

/ Peter Pan's Playground

02

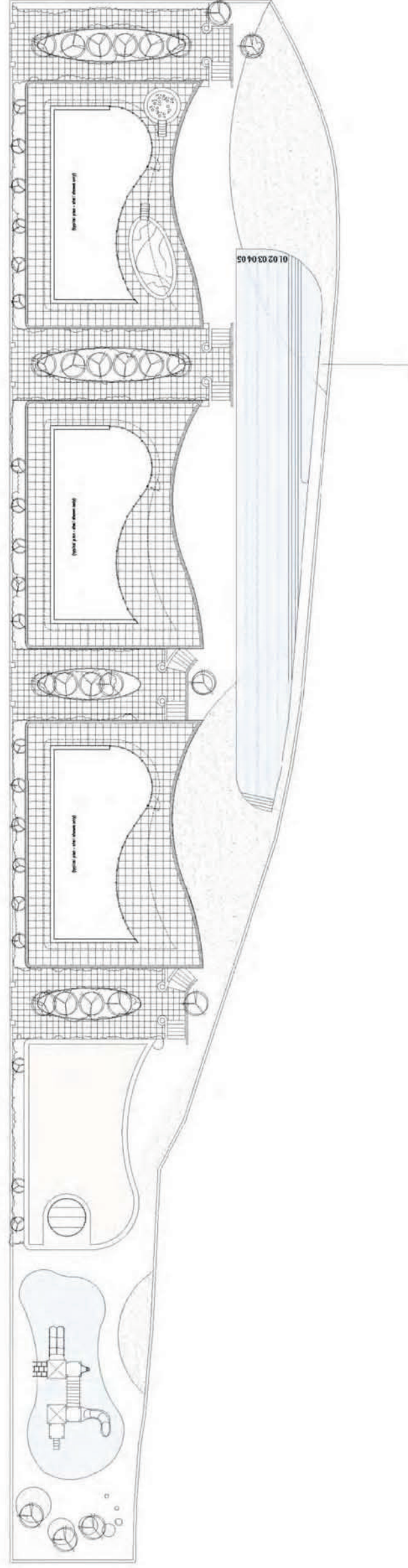
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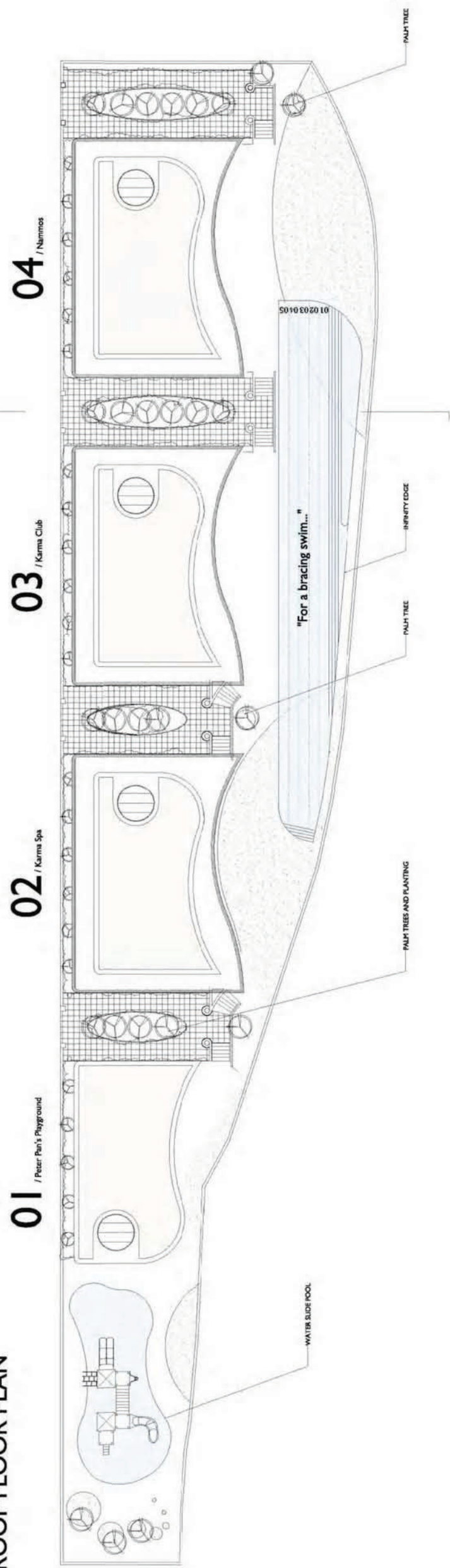
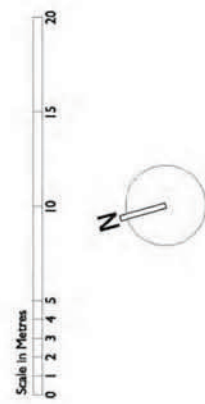
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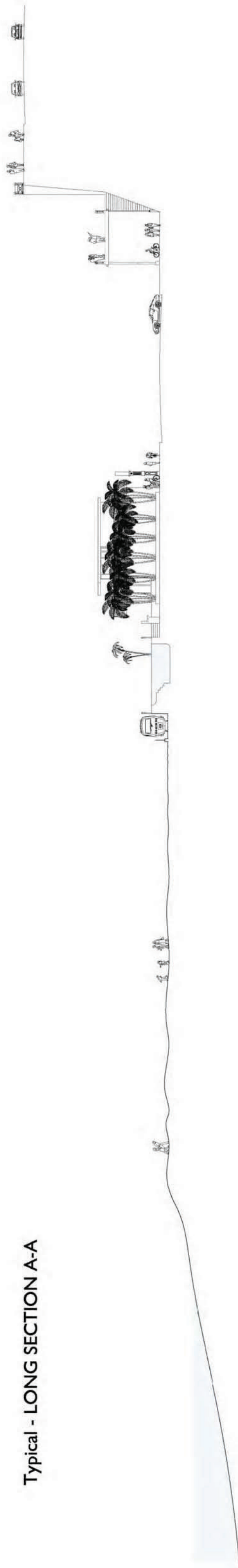


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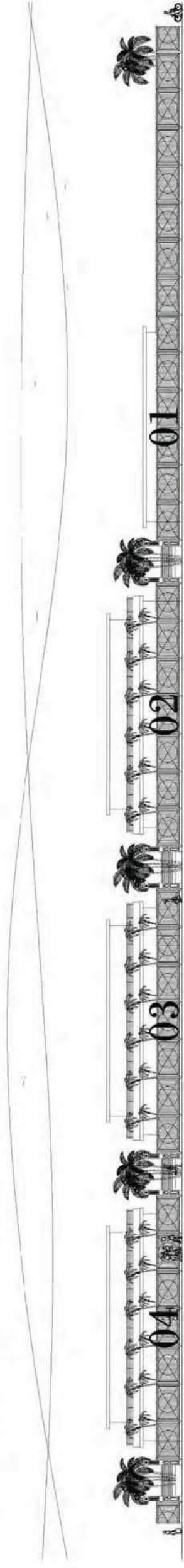
Indicative - ROOF FLOOR PLAN



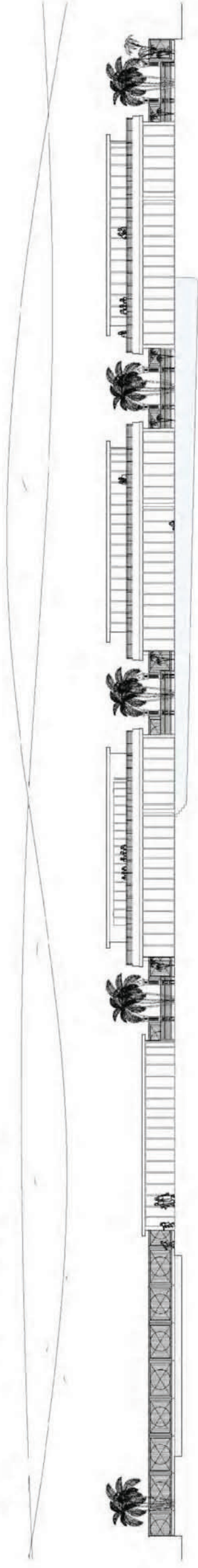
Typical - LONG SECTION A-A

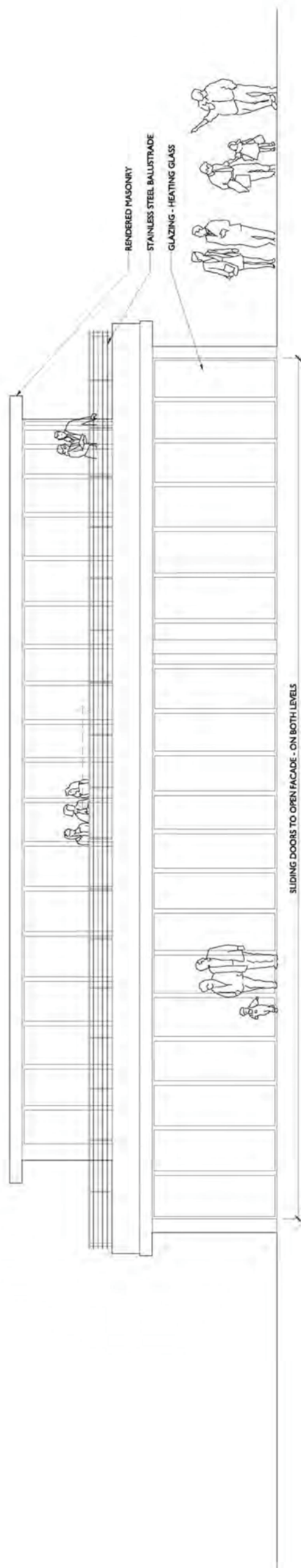


North Elevation - FROM MADEIRA DRIVE

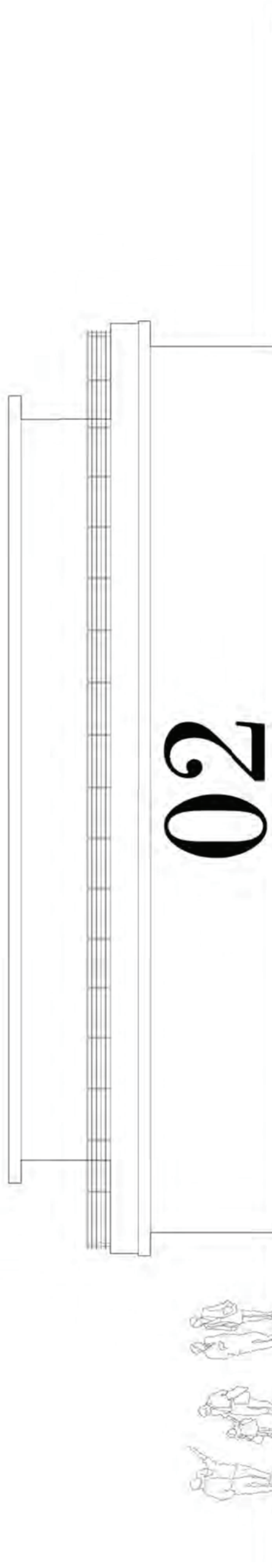


South Section / Elevation - FROM BEACH

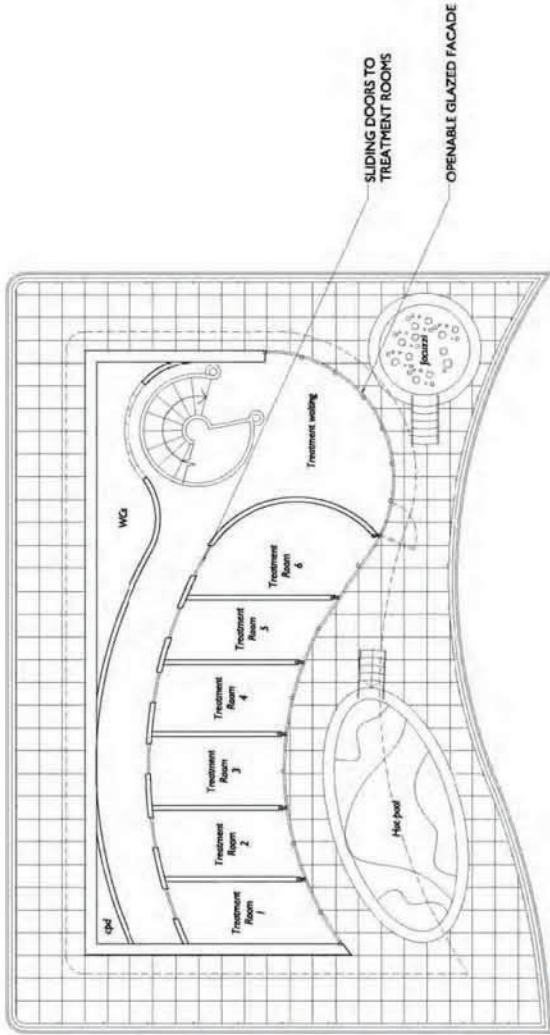




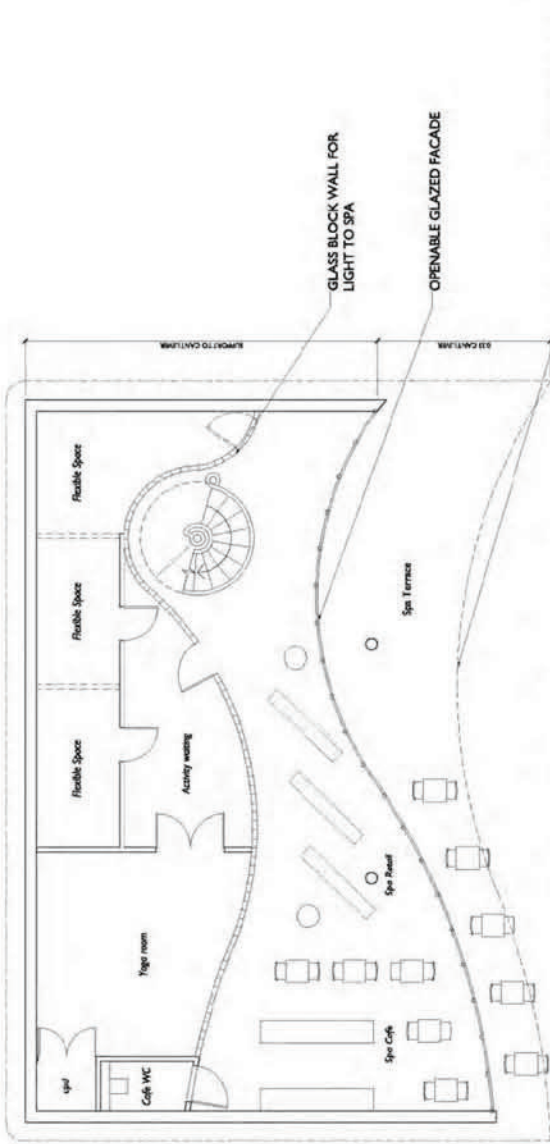
Typical Elevation - FRONT / FACING SEA



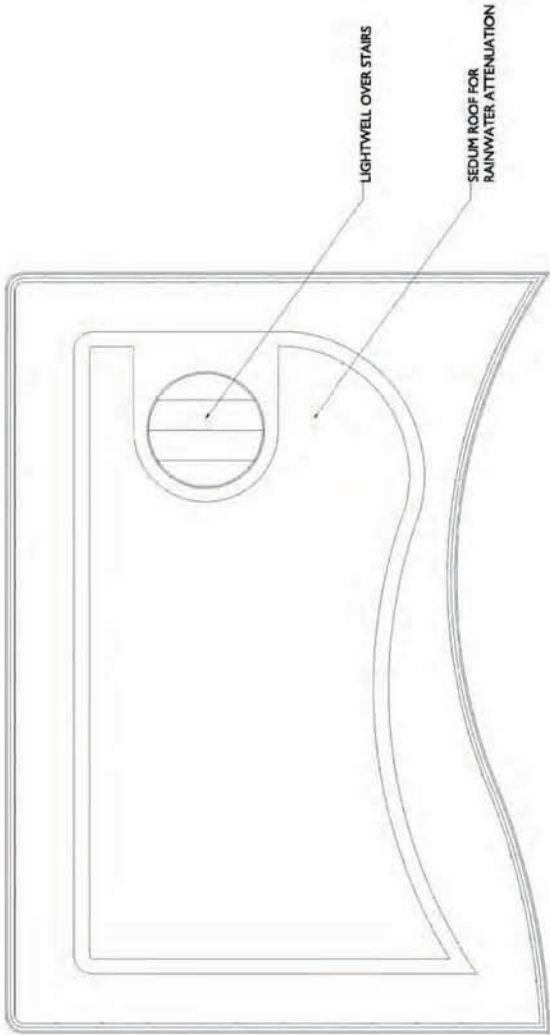
Typical Elevation - REAR / FACING MADEIRA DRIVE



Indicative Layout - FIRST FLOOR PLAN

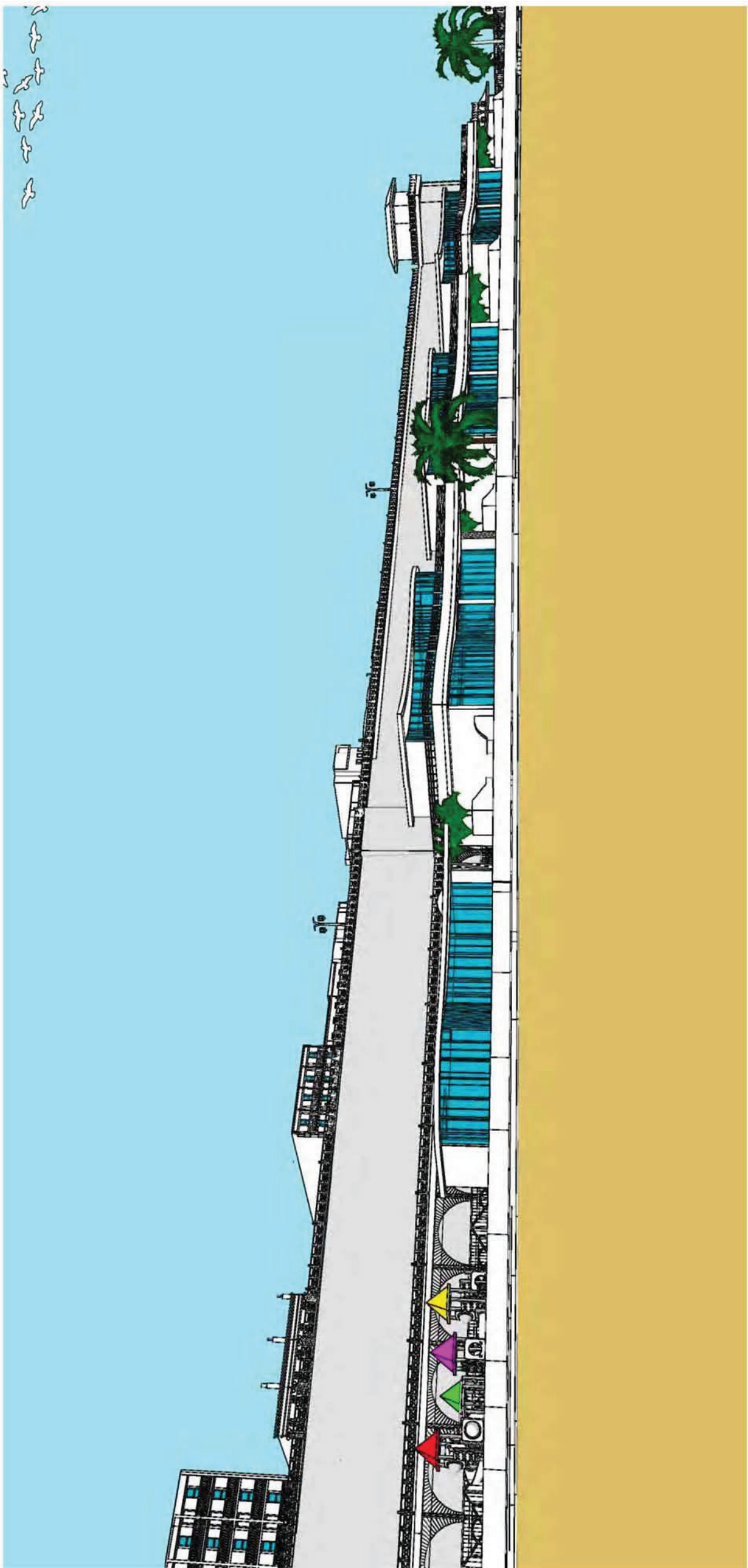


Indicative Layout - GROUND FLOOR PLAN



ROOF PLAN

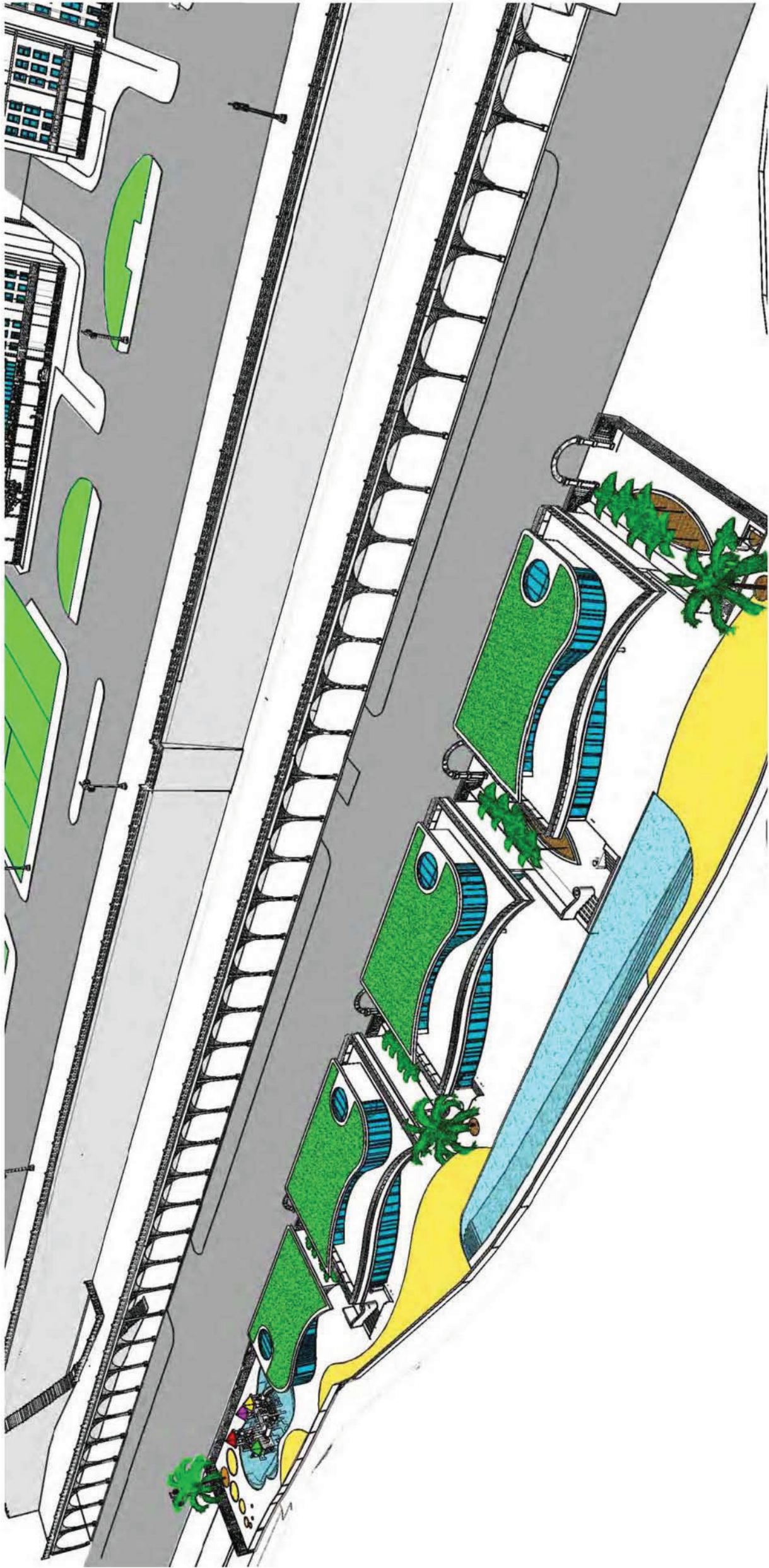
A. LOOKING NORTH EAST FROM THE BEACH

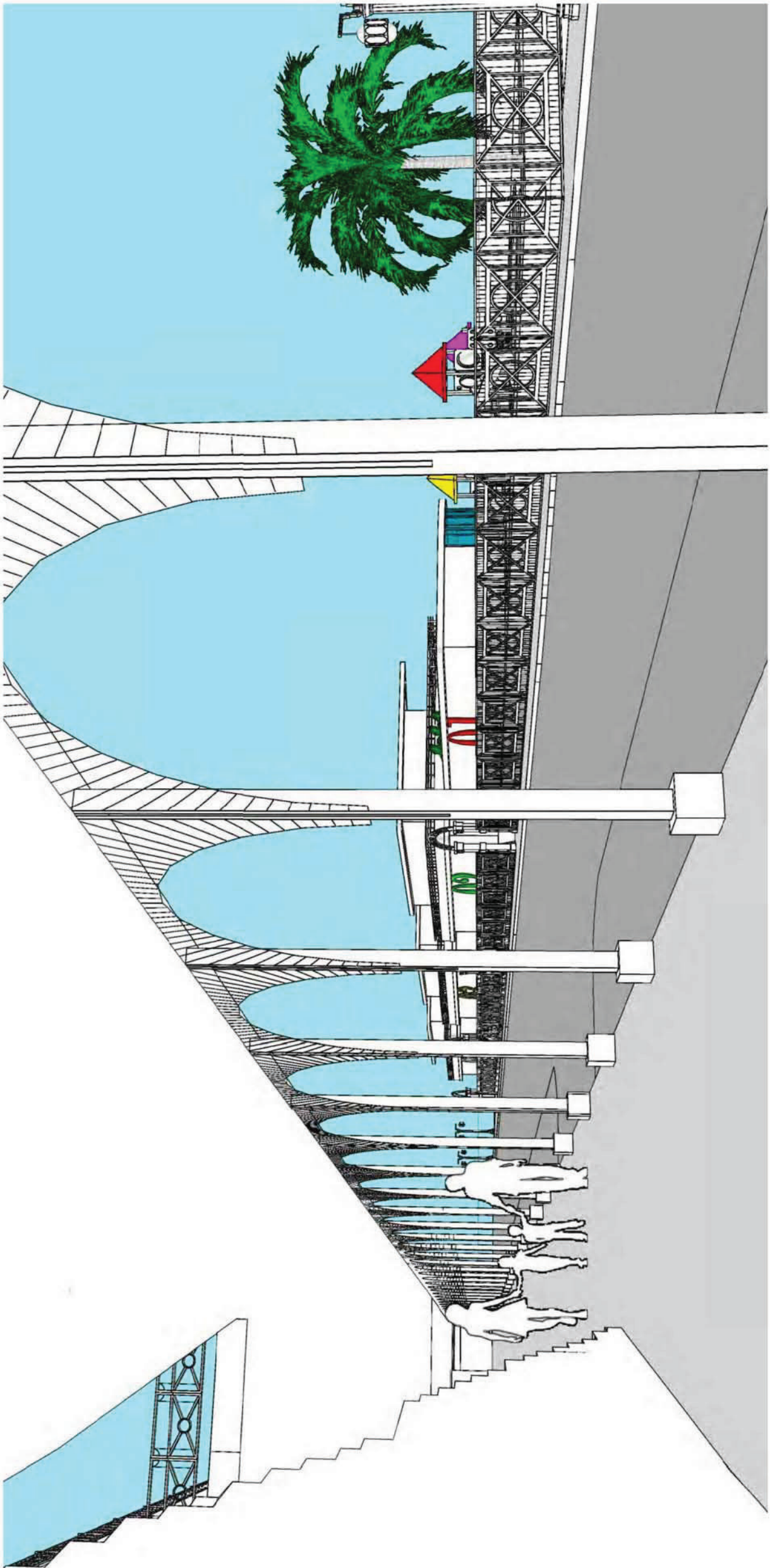


b RIGHTON BATHING PAVILION

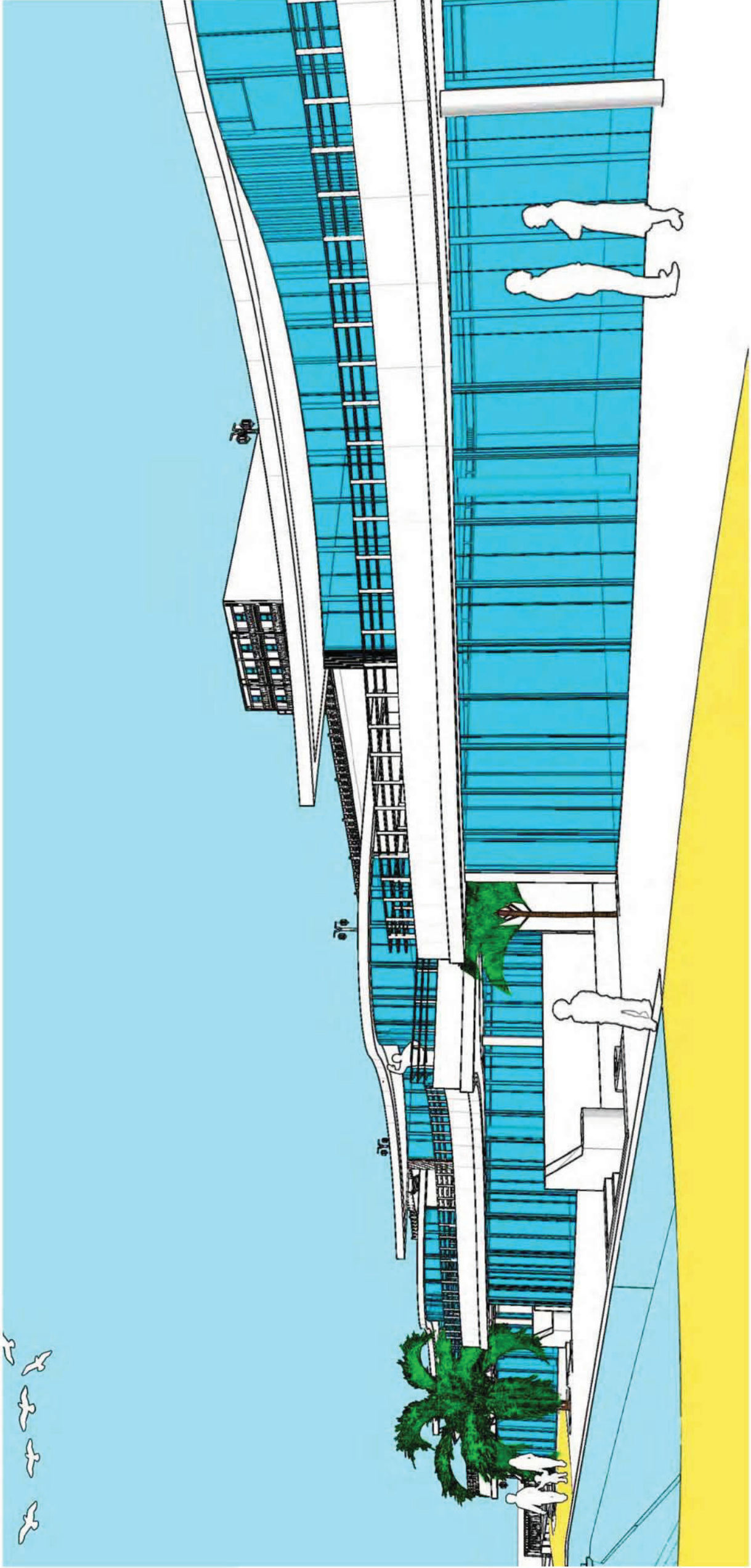
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B. BIRD'S EYE LOOKING WEST



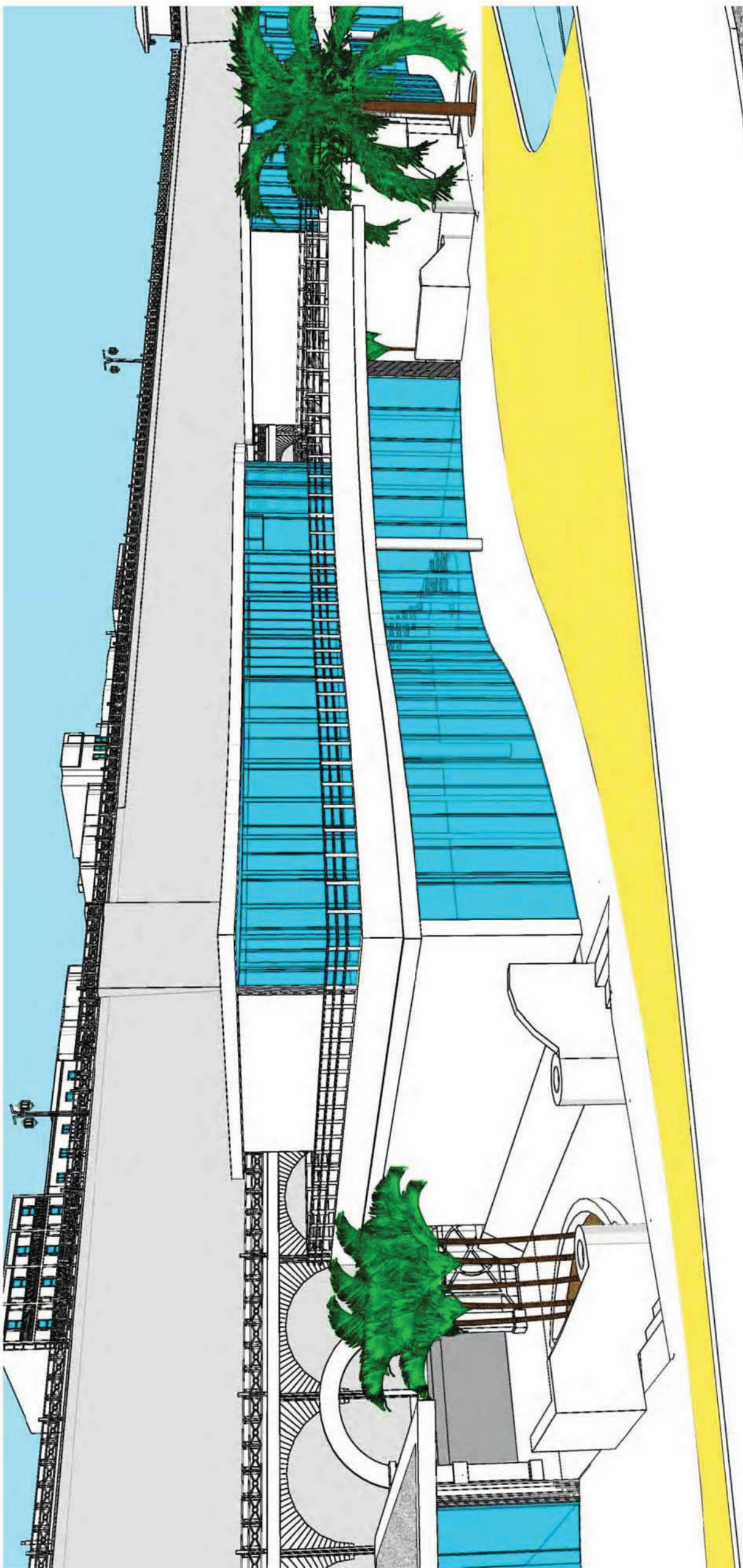


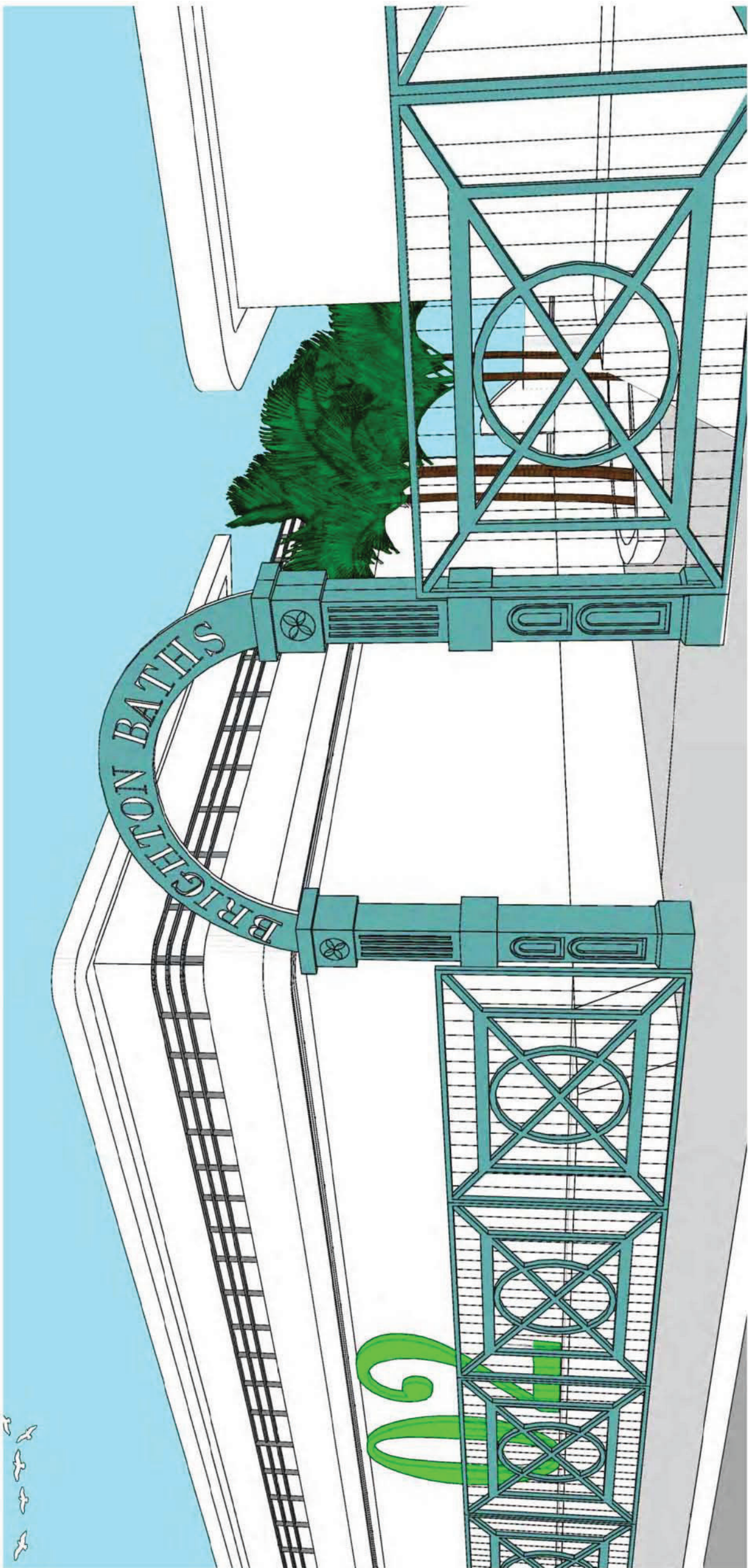
D. FROM THE PROPOSALS LOOKING WEST



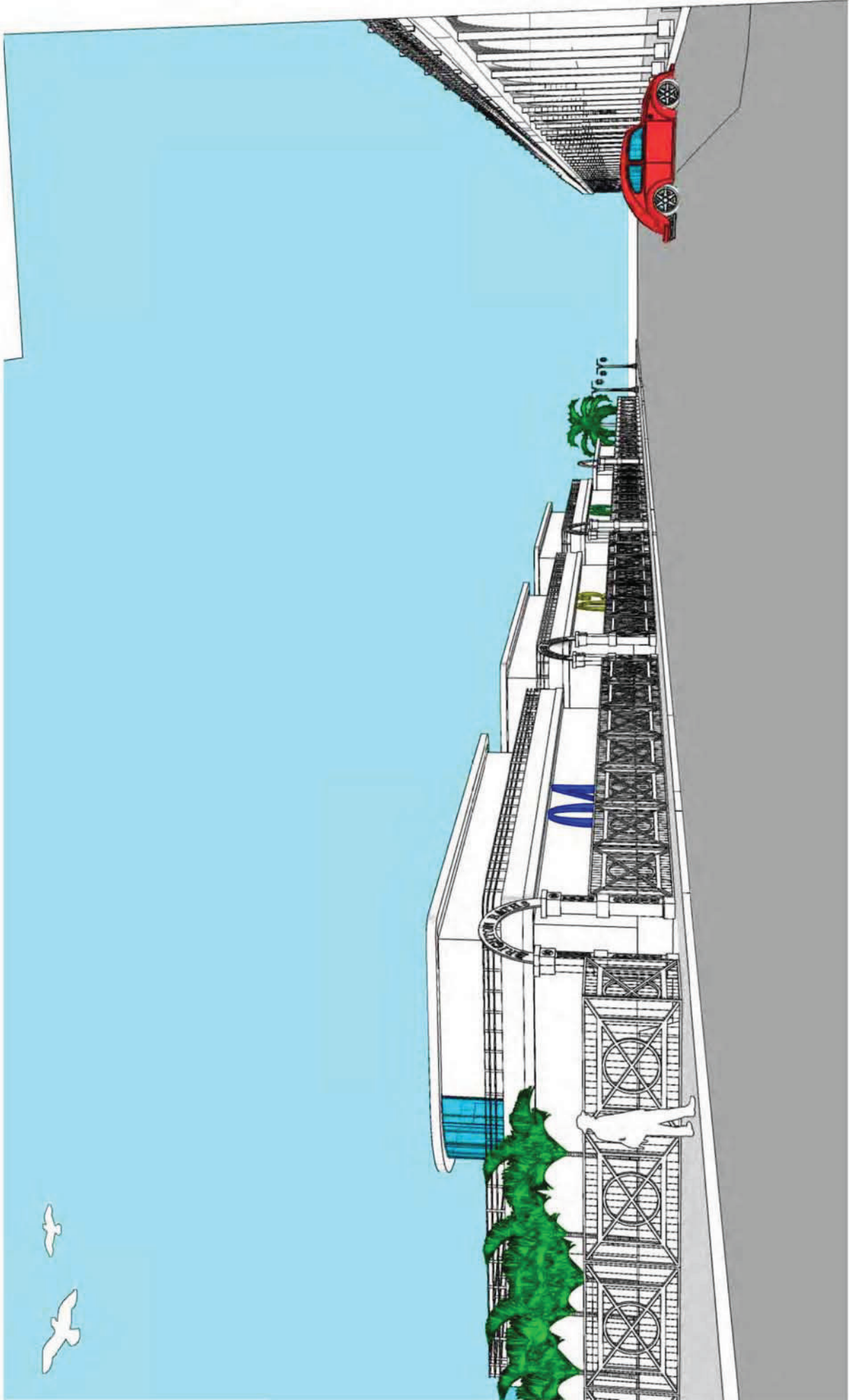
E.

FROM THE PROPOSALS LOOKING NORTH





G. LOOKING ALONG MADERIA DRIVE AT PROPOSAL



b RIGHTON BATHING PAVILION

Karma
RESORTS



Head Office

1st Floor, 91 Hay Street
Subiaco, WA 6008

Australia

T : +61 8 9388 7533

F : +61 8 9381 8494

Corporate Office

Karma Royal Building

Blok 1,2,3 Lingkungan Abianbase,
Jln Sunset Road, Kuta, Bali 80361,

Indonesia

T : +62 361 764 082

F : +62 361 755 512

Contact Persons

Vic Faulkner

vic@royalperspective.com

Gary Knowles

gary.knowles@karmaresorts.com

COMPANY PROFILE

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qsf t f oubypo!!!Boz!sf bñf slpgü jt !bgsn bypo!Nf n psboevn !n vt dñpulf rñ!po!ü f !dpouf out !pgü jt !bgsn bypo!Nf n psboevn !/

THE KARMA ROYAL GROUP

U i f !L bsn b!SpzbrtHspvq!pgdnp qbojft t !ef wf rpaqt !myvsz!i prjebz. rjg t uzrh!sf t pst !jo!t pn f !pgu f !n pt dcf bvjgrtboe!
ef t jsf e! qrbdf t !jo! u f !x psra! Pvs! f yqf sjf odf -! qspgf t t jpbortn !boe! wjt jpo! i bwf ! qspevdf e! vojr vf ! i prjebz! boe!
rht vsf !f yqf sjf odf t !gslpvs!px of st !boe!gsf f !boe!joef qf oef ou!sbw! rntst !brjh f !Fwf szu joh!x f !lep!i bt !u f !dvt upn f sljo!
n joe!n bl joh!u f !js!i prjebz!f yqf sjf odf !u f !cft d u b u f !z!dpvra!i pqf !gs!L SH!i bt !ef t jhof e!lcvjrd!boe!n bobhf e!bo!
f yf ot jwf !sboh!f !pgf ydmt jwf !qspqf sjf t !u spvhi pvu!u f !Bt jb. Qbdjgd!sf hjpo!P vs!ef wf rpaqn f out !dbo!cf !gvoe!po!u f !
f ypyd!t i psf t !pgHpb!jo!bejb!po!Lpi !Tbn vj!jo!u f !Hvr!pg!Ui bjr!boe!jo!cf bvjgrtboe!cf hvjrjoh!Cbrjh!U!u f !A!rboe!pg
u f !Hpet GNzl popt -!Hsf f df !boe!x f !bsf !dvssf ouz!ef wf rpaqjoh!po!Murh!l bscpvsl!rboe!jo!u f !Cbi bn bt !/

L bsn b!jt !qsjwbw! r!px of e!ef culgsf f !boe!i bt !f n cbs!f e!po!blt uspo!h!t vt ubjobcrh!hspx u !qbu !/X ju !b!ubrhouf e!boe!
f yqf sjf odf e!jouf sobypobrtjoh!i pvt f !n bobhf n f ou!f bn -!u f !L bsn b!SpzbrtHspvq!jt !qf sf duz! qpt jypof e!up!ef rjwf sl
r vbrjz!qspqf sjf t -!lcvjrd!up!u f !i jhi f t ut qf djgdbjpot !boe!n f n psbcrh!i prjebz!f yqf sjf odf t !gs!brmpx of st !boe!hvf t t !/

INTRODUCTION

K !!pi o!Tqf odf -!Di bjsn bo!lgvoef s!px of slboe!dsf bujwf !gsdf !cf i joel!u f !L bsn b!SpzbrtHspvq!-!i be!b!wjt jpo!U!Ép!ef wf rpaq!
sf t pst !jo!of x !boe!f ydjyoh!ef t yobijpot !bspvoe!u f !x psra!boe!u jt !wjt jpo!i bt !esjwf o!Kpi o!boe!i jt !uf bn !up!ef rjwf sl b!
qps!gri!pg 27!sf t pst !bdst t !Bt jb!boe!4!jo!Fvspqf !boe!u f !Dbsjccf bo!!Ui f !L bsn b!SpzbrtHspvq!i bt !bo!bhhsf t t jwf !
f yqbot jpo!qrb!gs!u f !of yd!8!zf bst !x i jdi !x jmt f f !8!of x !L bsn b!Sf t pst -!8!Di bl sb!Sf t pst !boe!bqqspyjn buf r!34!of x !
SpzbrtSf t ps!vojt !dnp joh!po!cpbse!/

Ui f !L bsn b!SpzbrtHspvq!jt !bli pt qjbrjz!dnp qboz!pqf sbjoh!voef slx plx f mhsf t qf duf elcsboet -lobn f r!L bsn b!boe!Spzbrtboe!
x jmt ppo!ravodi !bl!u jse!csboe!Di bl sb!qpt jypof e!jo!u f !5/6!t ubst qbdf -!f n csbdjoh!u f !gvrnm jyf e!vt f !dpodf qu!

Ui f !L bsn b!csboe!gdvt f t !po!u f !ef wf rpaqn f ou!t brnt !boe!pqf sbjpo!pggw!t !bslqrnt !sf t pst !jo!f ypyd!rpdbyjpot -!qsf epn jobouzi!
jo!Bt jb!c!v!n psf !sf df ouz!jo!Fvspqf !boe!u f !Bn f sjdbt !bt !x f mth!Ui jt !t f hn f ou!pgu f !cvt jof t t !i bt !b!gpusjoudjo!Nzl popt -!
Hsf f df -!Cbrjh!bepof t jbl!boe!Lpi !Tbn vj!Ui bjr!boe!boe!smpv!qrbot !gs!u f !Dbsjccf bo!Mpn cpl -!Gj!-Tf zdi f mnt -!Qi jjaqjof t -!
Csb!jrtboe!Fvspqf !/

L bsn b!sf t pst !bsf !sf dphoj!f e!bt !myvsz!qspqf sjf t !u bulpgf sljg t uzrh!f rrrhbodf -!lwbw!f !boe!dsf bujwz!bulu f !joevt usz!li jhi f t u
cf odi n bs!t !/L bsn b!jt !bsf gsf t i joh!dnp qboz!u bulx jmt!pot jt u ouz!f vpw!f !up!qspwef !b!gt jpo!pghv f t t Qoejwjevbrt!of e!t !boe!
ef t jsf t !boe!gdvt f t !po!u f !f rrrn f ou!pgb!myvsz!rjg t uzrh!t qbdf !boe!lwbw!f !/
Kpi o!gvoef el!u f !L bsn b!dpodf qu!jo!3113!ggn !b!hbq!i f !Jef oygf e!jo!u f !i jhi .f oe!rht vsf !sf t ps!n bs!f u!!f !sf brjh!e!u bulj!
x bt !ejgdvmt!up!goe!b!qspevdu!u bulpgf sf e!upq!f oe!rjg t uzrh!bddpn n pebjpo!gs!brntu f !gn jz!x ju !b!t f bn rnt t t f swjdf !
f yqf sjf odf !ggn !bsjwbtr!sjhi u!u spvhi !up!ef qbsusf !/

Jb!b!cje!up!gntu!jt !ojdi f !t f dups!pg u f !n bs!f u!L bsn b!Sf t pst !pgf st !hvf t u! qsjwbw!-!myvsjptv!boe!t qbdjptv!wmt!
bddpn n pebjpo!Ui f !wmt !t jlx ju jo!b!sf t ps!jogst usdvswf !boe!u f !hvf t u Qf yqf sjf odf !jt!cpu !f yf ot jwf !boe!jojn buf !/Ui f !
L bsn b!Sf t pst !dpodf qu!jt !up!qspwef !b!myvsjptv!rjg t uzrh!f owjpon f ou!x ju !brntu f !u!n n joht !pgblx psra!dnt t !sf t ps!/

Ui f !Spzbrtcsboe!gdvt f t !po!ef rjwf sz!jo!u f !gntwbrw!di bjo!x ju jo!u f !i prjebz!px of st i ja!n bs!f u!boe!pqf sbuf t !jo!cpu !u f !
Éspou!pgi pvt f Npqpsuvojyt !boe!u f !Ébd!pgjdf !boe!sf t ps!n bobhf n f ou!Ndpn qpof ou!Ui f !Éspou!pgi pvt f Ndpn qpof ou
uzqjdbnz!jowp!t !ef wf rpaqn f ou!t brnt !boe!n bs!f yoh!bdjwjt -!x i jrh!u f !Ébd!pgjdf Npqf sbjpot !jodrvf !dmc!ben jojt usbjpo!
n f n cf sln bobhf n f ou!sf t f sbjpot -!dvt upn f st f swjdf !boe!n f n cf slwbrw!beet -!uphf u f slx ju !gntst ps!n bobhf n f ou!Ui f !

Spzbrtboelt jhojgf t !ü f !wf sz!cf t !jolo!wbrf !gösn pof z!sf t !psl!bddd n pebüpo!boe!pqf sbuf t !jo!Tpvü !Fbt uBt jb!boe!bejb!boe!
i bt !jt !qsn bsz!cbd !pgjdf !godüpot li f ber vbsf sf eljo!Cbrj!behof t jb!boe!Hpb!bejb!boe!

SpzbrtSf t pst !jt !n bef !vq!pggövsln bjolejwjt jpot -!bt !gömx t ;!
Ö!sf t pslef wf rpn f ou
Ö!n bsl f üoh!boelt brft !
Ö!wdbüpo!t f swjdf t !boe!
Ö!sf t psln bobhf n f ou

Ui f !Spzbrtvt jof t t !i bt !cf dñ f !bo!f ggdjf ouñ bdi jof !usbö jüpojoh!usbejüpobrt!pof .pgjt brft !joup!boovjuz!sf dvssjö!sf wf ovf t !/
Ui f !t usf ohü t !pgü f !t brft !qspdf t t -!t !jñt!boe!qspvdui bwf !t f dvst e!b!sf hvrt!bwf shf !dpowf st jpo!qf sdf oubhf !pg2!jo!9!ps!
23& !pgüpvst elhv f t u !/
Ui jt !t f hn f oupgü f !hspvq!uphf ü f slxjü !sf t psln bobhf n f ouboe!pü f slcbd !pgjdf !t f swjdf t !qspwef t !ü f !cbd cpof !pgü f !
cvf jof t t !boe!ü f !qsn bsz!dbt i !gmx !boe!q!gösn !gsl!hspx ü !/

Ui f !Hspvq!jt !opx !qpt jüpf e!up!ravodi !jt !Di bl sb!Sf t ps!csboe!up!t julo!buz!cf ux f f o!ü f !Lbn b!boe!Spzbrtboet !boe!xjñt!
ubshf u ü f !5/6!t !bs!n bsl f !xjü !b!dñ qñf !n jyf e!vt f !n pef rñ!Ui f !n pef rñxjñt f f !uzqjdbñt pü rñpqf sbüpot !x ps joh!xjü !
px of st i jñ f n cf st i jñ pef rñ!up!ef .st !ü f !dbqjbrñjowf t un f ou!up!t f dvst !bqqspqsbu!sf vst !göst ubl f i pñst !/!!Ui f !Hspvq!
xjñt!csboe!df sbjö!qspqf sjf t !jo!ü f !f yjt üoh!qpsgñp!uphf ü f slxjü !ef wf rñqjoh!of x !qspqf sjf t !jo!Cbrj!Qi jñqjof t -!Mñ cpl !
boe!Kqbo!//X f !xjñt!up!t f dvst !8!qspqf sjf t !voef slü jt !csboe!jo!ü f !of yu4!zf bst !/

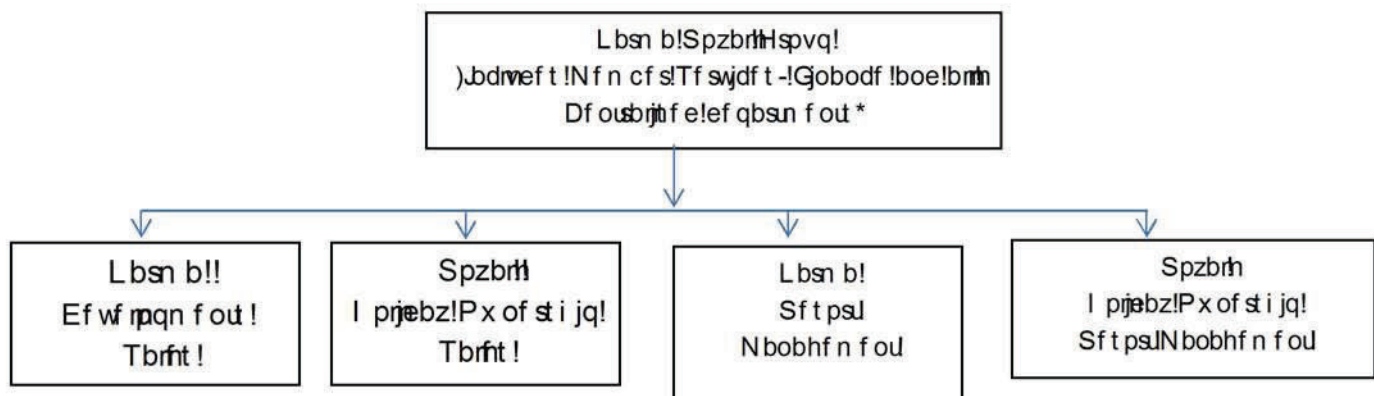
Ui f !Lbn b!SpzbrtHspvq!i bt !pwf sl29!zf bst !pgqspqf sz!ef wf rpn f ouf yqf sjf od f !jo!ü f !bcpwf !n f oupof e!dpvouj f t -!boe!
dvst ouz!dñ qst f t !pg29!pqf sbüpobrt!st pst !Ü!Lbn b! !5!Spzbrt!25!xjü !b!gsv f slux plt di f evrñe!up!ravodi !jo!3122Ö3!/

!b!beejüpo!up!dpoujovjoh!pvs!wf sz!x f rñt opx o!qbü -!ü f !Hspvq!jt !brñp!voef sb! joh!b!wf sz!ef jñf sbu!n pwf !joup!ü f !Cf bdi !
Drñct !boe!4[°]!qbsz!t qb!f owjpon f ou !/!!Ui f t f !dbqjbrñjñi !n pef rñt xjñt f f !ü f !Hspvq!rñw!shjoh!f yjt jñh!dñ qf uf odj f t !p!
esjwf !t i ps!qbz!cbd !qf sjpet -!t vqf sjps!dbt i gmx t !boe!sbje!sñrñpvü !/!X f !boujdbu!pqf ojoh!bu!rñt u4!of x !Lbn b!t qbt !
evsjoh!3123!boe!b!n jojn vn !pg4!of x !cf bdi !drñct !pwf slü f !of yu23!n pou t !/

Ui jt !epdñ f ou!i bt !cf f o!dñ qjñe!up!qspwef !jouf sf t uf elqbsj f t !xjü !bo!pqqpsvojuz!up!cf uf slvoef st !boe!ü f !Hspvq!boe!ju!
pqf sbüpot !boe!pqqpsvojüf t !/!!Üjt !op!jouf oef el!hjw!bo!jo!ef qu !sf wjx f !pgü f !Hspvq!hspx ü !t !sbu!hf t !boe!vojr vf !t f rñh!
qpjou !/!!Ui jt !epdñ f ou!qspwef t !b!sf bt pobcrñ!pwf swjx f !pgü f !Hspvq!f yjt üoh!cvf jof t t !boe!ju!qpuf oujbrñt!hspx ü !pwf slü f !of yu
6!zf bst !/!!

GROUP OVERVIEW

Tjn qñt jñbñz!ü f !Hspvq!jt !n bef !vq!bt !gömx t ;!



Ui f !Lbsn b! Spzbrh!Hspvq!i f be!pgjdf !jt !cbt f e!jo!Qf si -!X f t f so!Bvt usbrj!Ui f !pgjdf !jt !po!u f !2t d Gpps! : 2!I bz!Tsf f u!
Tvcjbdp-! Qf si -! Bvt usbrj!Ui f ! Dpsqpsuf ! Pgjdf ! beesf t t ! jt ! Lbsn b! SpzbrhCvjre!joh! Tvot f u Spbe-! L vub-! Cbrj! 91472-!
.bepof t jb!Ui f !Hspvq!brtp!i bt !pgjdf t !jo!Hpb!boe!Lpi !Tbn vj!

Spzbrh! prjebz!Px of st i jq!Tbrnt !Ü!Ui jt !cvt jof t t !vojüi bt !t f f o!dpot jt f ou!hspx ü !ü spvhi !ü f !zf bst !x jü !ü f !gjt d zf bs!pg
usbejoh!cf joh!28!zf bst !bhp-ljo!2: : 4!!Ui f !t brnt !f bn t !pqf sbuf ljo!Cbrj!boe!Hpb!

Lbsn b!Sf t pst !Ü!Ui f !Lbsn b!sf t ps!n bobhf n f ou!cvt jof t t !opx !i bt !gvsl!qspqf sjf t !jo!jü !qpsgrjp!!Ui f t f !qspqf sjf t !bsf !
Lbsn b!Kjn cbsbo-! Lbsn b! Tbn vj-! Lbsn b! Lboebsb! boe! Lbsn b! Qf rjhbopt !/Jl jt ! boujdjqbue! ü bu ü f sf !x jntcf !b! g/sü f sl 3!
qspqf sjf t !voef sl n bobhf n f ou!boe!f yuf ot jpot !p!ü f !f yjt yoh! Lboebsb! qspkf du!cz! n je! 3123-!boe!ü jt !x jntqspwjef !t pn f !
n f bojohgyrht dbrh!p!ü jt !f ydjyoh!t f hn f ou!pgü f !cvt jof t t !/Ü!Ui f !Lbsn b!Cbi bn bt !qspkf du!jt !ü f !rbuf t u!ef wf rpnq f ou!qspkf du
boe!qi bt f !2!jt !qpjt f e!p!dpn n f od!dpot usdjpo!cf gsf !ü f !f oe!pg3122!/X f !bsf !brtp!jo!of hpjbyjo!gsl!qspqf sz!ef brjjo!
Vojuf e!Ljohesn -!x i jdi !x jntq/sü f slf oi bodf !ü f !qpsgrjp!boe!bee!rnfw shhf !p!pvsl!sf ohü !jü f !Bt jb!Qbdjgd!sf hjpo!

Spzbrh! prjebz!Px of st i jq!Sf t pst !Ü!Ui f !Spzbrh!Sf t ps!n bobhf n f ou!cvt jof t t !i bt !25!qspqf sjf t !voef sl n bobhf n f ou!boe!jt !
ü f !n pt ddpot jt f ou!qf sgpsn f sljo!ü f !Hspvq!Ui f !boovjuz!sf wf ovf !t sf bn t !i bwf !hspx o!dpot jt f ou!z!pwf slü f !zf bst !/!bdrvef e!
jo!ü jt !cvt jof t t !t f hn f ou!sf wstot !bsf !ü f !sf t vnt !pgü f !n jops!pqf sbjyoh!ef qbsn f ou !lgobodf !boe!n f n cf slt f sjdf t !/

HISTORY AND OWNERSHIP

U i f !Lbsn b!Spzbrh!Hspvq!pgDpn qbojf t !x bt !gvvoef e!jo!2: : 4-!x i f o!ü f !Di bjsn bol!boe!DFP-!boelt prn!px of slpgü f !Hspvq-!
Kpi o!Tqf od!f -!ef wf rpnqf eli jt !gjt usf t ps!ef wf rpnq f ou!jo!Hpb-!bejb!Ui f t f !sf t pst !x f sf !t vddf t t g/rnt!pre!bt !yn f t i bsf !
ef wf rpnq f ou -!boe!bsf !t yntsf wjof e!jo!ü f !Hspvq!qspqf sz!qpsgrjp!

Ui f !Hspvq!i bt !t jodf !f yqboef e!p!gvsvf o!sf t pst !voef slü f !Spzbrh!Csoe-!t f wf o!pgü f t f !jo!bejb-!ü sf f !jo!Cbrj!bepof t jb-!
pof !jo!Mpn cpl -!bepof t jb-!ux p!jo!Ui bjrnoe!boe!pof !jo!Tdi rjht f f -!Hf sn boz!!Bt !n f ou!pof e!bcpwf -!ü f sf !bsf !b!ovn cf slpg
of x !qspkf du !jo!ü f !qjqf rjof !boe!ljüjt !ü f !t sbuf hjd!jouf ou!pgü f !Hspvq!p!hspx lü jt !t f hn f ou!pgü f !cvt jof t t !/ !

Lbsn b!Sf t pst !x bt !gvvoef e!jo!3113-!x jü !ü f !ravodi !pg Lbsn b!Kjn cbsbo-!boe!i bt !hspx o!p!gvsl!pqf sbjyobrn!sf t pst -!
jodrvejoh!Lbsn b!Tbn vj-!Lbsn b!Qf rjhbopt !boe!Lbsn b!Lboebsb!/Lbsn b!Lboebsb!jt !ü f !g!ht i jq!pgü f !Lbsn b!tjef !pgü f !
cvt jof t t !x jü !gwf !qi bt f t !jo!ü f !ef wf rpnq f ou!qrbao!

Di bl sb!Sf t pst !x jntcf !ravodi f e!jo!f bszl3123!boe!x f li bwf !qrbaot !p!t f dvst !t f wf o!sf t pst !jo!ü jt !qpsgrjp!pwf slü f !of ylü sf f !
zf bst !/!Df sbjo!Spzbrh!qspqf sjf t !x jntcf !sf csboef e!boe!ü f sf !bsf !b!ovn cf slpg!ef wf rpnq f ou !bulwbsjpvt !t whf t !pgqrbaojoh!p!
dpn qrbnf !ü jt !t f hn f ou!pgü f !cvt jof t t !/

Ui f !Hspvq!jt !f g!djwf rnz!px of e!211& !cz!Kpi o!Tqf od!f -!ü spvhi !ü sf f !Csüt i !Wshjo!t rnoe!dpn qbojf t !/Ui f t f !dpn qbojf t !i pre!
ü f !n blpsjuz!psldpousrjyoh!jouf sf t ü !jo!wbsjpvt !dpn qbojf t !epn jdrfne!jo!ü f !sf t qf djwf !pqf sbjyoh!dpvoust f !/

OPERATIONS AND PREMISES

U i f ! d p s q p s b u f ! p q f s b j p o b r t p g j d f ! j t l c b t f e l j o ! L v u b - ! C b r j a l . b e p o f t j b - ! x j u ! t b u f r j m f ! p g j d f t ! j o ! H p b - ! . b e j b ! b o e ! Q f s u - ! B v t u s b j b ! / !
 U i f ! C b r j a t p g j d f ! q s p w j e f t l u f ! t v q q p s l g r o d j p o t ! u p ! u f ! H s p v q ! b o e ! j t ! u f ! c b d l ! p g j d f ! p q f s b j p o ! q s p w j e j o h ! u f ! b d d p v o u j o h ! b o e !
 h f o f s b r t b e n j o j t u s b j p o ! t f s w j d f t ! / X f ! b s f ! j o ! u f ! q s p d f t t ! p g t f u j o h ! v q ! b ! T j o h b q p s f ! p g j d f ! x i j d i ! x j m v o e f s u b l f ! d f s b j o ! H s p v q !
 g r o d j p o t - ! q s n b s j r z l p o l u f ! b e n j o j t u s b j p o ! t j e f ! p g u f ! c v t j o f t t f t / ! ! ! U i f ! T j o h b q p s f ! p g j d f ! j t ! j o u f o e f e ! u p ! c f d p n f ! u f ! D p s q p s b u f !
 l f b e ! P g j d f ! g s l u f ! H s p v q ! j o ! u f ! o f y u 2 9 ! n p o u t ! / !

M p d b j p o ! p g S p z b r t S f t p s t !

S p z b r t H p b o ! C f b d i ! D r m c ! b u C f o b v r j m ! Ü ! H p b - ! . b e j b !
 S p z b r t H p b o ! C f b d i ! D r m c ! b u l b b u j ! N b i b r t Ü ! H p b - ! . b e j b !
 S p z b r t H p b o ! C f b d i ! D r m c ! b u N p o u f S j b ! Ü ! H p b - ! . b e j b !
 S p z b r t H p b o ! C f b d i ! D r m c ! b u S p z b r t Q b m t ! Ü ! H p b - ! . b e j b !
 S p z b r t l p w b r t a n ! C f b d i ! D r m c ! b u H s f f o ! Q b m t ! Ü ! L f s b r t a - ! . b e j b !
 L 3 ! b u S b u b o ! l b w f r j t ! Ü ! K b j q v s - ! . b e j b !
 S p z b r t j n b r a z b o ! N p v o u b j o ! D r m c ! b u T i j n r a - ! T i j n r a - ! . b e j b !
 S p z b r t C b r j t C f b d i ! D r m c ! b u D b o e j ! E b t b ! Ü ! C b r j a l . b e p o f t j b !
 S p z b r t C b r j t C f b d i ! D r m c ! b u K j n c b s b o ! C b z ! Ü ! C b r j a l . b e p o f t j b !
 S p z b r t S f f g S f t p s l b u H j r j t N f o p ! Ü ! M p n c p l - ! . b e p o f t j b !
 S p z b r t C b r j t C f b d i ! D r m c ! b u T b o v s ! Ü ! C b r j a l . b e p o f t j b !
 S p z b r t M j h i u p v t f ! V y n t a t ! b u C p b u M b h p p o ! Ü ! Q i v l f u ! U i b j r t a o e !
 S p z b r t C f n a ! V y t u b ! D p v o u s z ! D r m c ! Ü ! D i j b o h ! N b j - ! U i b j r t a o e !
 B r q f o d r m c ! Ü ! T d i r j t s t f f - ! C b w b s j b - ! H f s n b o z !

M p d b j p o ! p g L b s n b ! S f t p s t

L b s n b ! K j n c b s b o ! Ü ! C b r j a l . b e p o f t j b !
 L b s n b ! T b n v j ! Ü ! L p i ! T b n v j - ! U i b j r t a o e !
 L b s n b ! L b o e b s b ! Ü ! C b r j a l . b e p o f t j b !
 L b s n b ! Q f r j h b o p t ! Ü ! N z l p o p t - ! H s f f d f !

THE TEAM

U i f ! u s f f ! n b o ! u f b n ! d p n q s t j o h ! u f ! C p b s e ! p g E j s f d u p s t Q s f q p s l j o u p ! u f ! D i b j s n b o ! b o e ! D F P - ! K p i o ! T q f o d f / ! F b d i ! n f n c f s l
 p g u f ! c p b s e ! i b t ! t q f d j g d ! e b z ! u p ! e b z ! s f t q p o t j c r n ! j r j f t ! b o e ! j t ! s f t q p o t j c r n ! g s l e f r j m f s z ! j o ! u f ! j s l b s f b t ! p g f y q f s j t f ! b o e !
 d p n q f u f o d f / ! ! U i f ! C p b s e ! j t ! b r n p ! s f t q p o t j c r n ! g s l u f ! t u s b u f h j d ! e j s f d j p o ! p g u f ! H s p v q ! b o e ! u f ! t v q q p s l g s l u f ! e f r j m f s z ! p g u f !
 h s p x u ! f y q f d u b j p o t ! / !
 !!

D i b j s n b o ! b o e ! D F P ! Ü ! K p i o ! T q f o d f

K p i o ! t u s f e l p g j i j t ! x p s l j o h ! d b s f f s l j o u f ! f b s z l 2 : 9 1 Q ! j o ! u f ! n v t j d ! j o e v t u s z - ! x i f s f l i f ! x b t ! u f ! l b h f o u l g s n b o z ! b s j t u ! b o e ! c b o e t - !
 j o d r m e j o h ! t p n f ! x f n a b o p x o ! o b n f t ! t v d i ! b t ! D v m s f ! D r m c ! b o e ! C b o b s b n b ! E j t j m v t j p o f e ! x j u ! u f ! n v t j d ! t d f o f ! b u l u f ! l j n f - ! K p i o !
 n b e f ! b ! r n b q l j o u p ! u f ! q s p q f s z ! j o e v t u s z ! j o ! 2 : 9 5 ! x i f o l i f ! l p j o f e ! H p c b r t b ! l i p u f n t j n f t i b s f ! b o e ! q s p q f s z ! e f w f r p q n f o u d p n q b o z ! j o !
 U f o f s j g ! / G e p n ! b o ! j o j u b r a b o p o z n p v t ! q p t j y p o ! b t ! b ! t b r n t q f s t p o l j o ! b l i v h f ! t b r n t ! n b d i j o f - ! K p i o ! r v j d l r z l n b e f l i j t ! n b s l ! b o e ! x b t !
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Chief Operating Officer – Gary Knowles

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Lbsn b!Ef wf rpaqn f out !up!cf !ravodi f e!

Lbsn b!Cbi bn bt -!Dbsjccf bo!)312203*!
Lbsn b!Bhvoh-!Cbrijt!bepof t jb!)312304*!
Lbsn b!Tf zdi f nnt -!Tf zdi f nnt !)312405*!

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I bl vcb-!Kbqbo!)312405*!
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Hjrit rboet -!bepof t jb!
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Obn n pt !Hspvq-!Hsf f df !)3123*!

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Tf zdi f nnt !)3123*!
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CONCLUSION

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Brighton is looking for a
breath of **fresh air**

Prime Seafront Leisure Site

Madeira Drive Brighton

**0.58 acre site (0.2369 hectares)
with 380ft (116m) frontage to
Madeira Drive & Brighton Beach**

**Expressions of Interest Invited
(by 4th November 2011)**

Superb opportunity with potential for:

- Children & family themed leisure attractions
- Wet & dry sports attractions
- Art & Heritage related attractions

Close to Brighton Pier, Brighton Marina,
the new Brighton Wheel, Yellowwave Beach
Volleyball Centre, Peter Pan Playground,
Madeira Drive & the Volks Heritage Railway.



pier

wheel

you?

marina



**Brighton & Hove
City Council**

On behalf of Brighton & Hove City Council

Brighton & Hove

Brighton & Hove, on the south coast of England, is one of the top seaside cities in the United Kingdom and has recently appeared in the top ten UK cities.

Attracting more than 8 million visitors each year, many of whom are from overseas and generate an annual spend of £350 million.

In 2000, Brighton and Hove was given city status and is regarded as a creative and cosmopolitan European city.

Brighton is also a major conference centre and regularly plays host to the major political party conferences.

Brighton has a resident population of 247,817 (Census 2001) and an extensive and affluent catchment population, extending from Rye to the east, Chichester in the west and as far north as the M25 and London.

Drive time analysis indicates that Brighton has a core catchment population of 449,877, with 1.3 million within a 60 minute drive time (CACI).

Brighton is a highly affluent area with the proportion of 'wealthy achievers', 'affluent urbanites', 'prosperous professionals' and 'better-off executives' all being above the national average (a detailed CoStar/Focus Town Report on Brighton & Hove is available upon request, providing detailed Demographic and Socio Demographic information on Brighton & Hove).

Leisure and Tourism is a main stay of the economy, which is boosted by both Brighton & Sussex Universities being based in the City and excellent links to London and Gatwick Airport.

Travel Times

Destination	By Train	By Road
London Victoria	50mins	84mins
Gatwick Airport	26mins	35mins
Heathrow Airport	145mins	75mins
Channel Tunnel Terminal	106mins	84mins

The Peter Pan Leisure Site

Brighton & Hove City Council are now inviting expressions of interest from potential occupiers for this high profile seafront leisure site.

The available site comprises a significant part of the Peter Pan Leisure Park area, which has significant Local Heritage having been reclaimed from the sea in 1877.

After the war the site was developed for amusements, fun fair rides, a children's theatre and roller skating area.

The site is currently temporarily let for amusement rides.

The site is level and offers a site area of 0.58 acres (0.2369 hectares), benefiting from frontage of 380 feet (116m) to Madeira Drive. Much of the site currently comprises concrete hardstand, with the exception of an area on the southern side of the site which comprises beach area (pebbles), the site being to the immediate north of the Volks Electric Railway line.

Currently the site does not benefit from connection to mains services, although main services (water and electricity) are available in Madeira Drive.

The Site - Madeira Drive



Brighton's Madeira Drive...

...‘an iconic location’

Madeira Drive has been immortalised by the 1938 Graham Greene novel Brighton Rock, Quadrophenia and London to Brighton Rally's.

Attractions within the immediate vicinity of the site include:

- Brighton Pier which was opened in 1899 and is now one of the UK's top themed tourist attractions as well as a Grade II* Listed Building
- The Brighton Wheel at 45 metres high and due to open in October this year
- Yellowwave Beach Volleyball Centre is located adjacent to the site, the UK's only permanent beach volley ball venue, which offers a variety of beach related sporting activities and a café
- Volks Railway, the worlds oldest operating electric railway runs the length of Madeira Drive and passes directly south of the site. The Volks Railway Halfway Station is close by. Over the next few months, the Council intends to invest in the refurbishment of the original siding sheds behind the station and improve the adjacent area fronting Madeira Drive
- Peter Pan Children's Play Area and Adventure Golf are close by
- Concorde 2 is situated opposite the site and is one of Brighton's leading live music venues with an iconic music heritage.
- Brighton Sealife Centre opened in 1872 and is the oldest operating Aquarium in the UK
- Brighton Marina one of the largest man made marinas in Europe offers boating, shopping, cinema, restaurants, bowling and an Asda Supermarket
- Black Rock adjoins Brighton Marina nearby to the site and is earmarked for development of a new Ice Skating and Conferencing Arena
- The Terraces leisure development offers restaurants and The Gym, at 17,000 sq.ft., recently opened within the development
- There is an 'artists quarter' comprising two art galleries and two studios on the north side of Madeira Drive



Events

All year round and in addition to many other events centred on Brighton and the Seafront area, Madeira Drive hosts a number of high profile events, some of which include:-



February

- Brighton Half Marathon (8,000 entrants)

March

- Incar Nation (modern car event)
- Pioneer Run (vintage motorcycle rally)

April

- Brighton Marathon with 18,000 entrants
- London to Brighton Jaguar Run

May

- HCVS London to Brighton Run
- London to Brighton MG Car Run
- Great Escape Music Festival
- London to Brighton Mini Run

June

- London to Brighton Classic Car Run
- London to Brighton Bike Ride

September

- National Speed Trials
- Ace Café Reunion (Motorcycle Rally)

October

- Brighton Breeze (annual VW run)
- Land Rover Run
- Cancer Research 10k Run
- Brighton Cyclosportive Event
- Brighton 2011 (motorcycle event)

November

- Annual Veteran London to Brighton Car Run
- Brooks 10km Run

December

- Burning The Clocks (Annual Solstice Event)

Brighton is looking for a breath of fresh air

Potential

The site has potential for a variety of uses and could be operated/occupied with a mix of open air and indoor facilities, the Council wish to remain open minded in respect of the potential uses for the site, of course subject to receipt of planning permission.

The site is currently zoned as a Leisure site in the Brighton & Hove Local Plan and potential uses should ideally provide an all year round attraction for both residents and tourists and ideally not replicate uses found elsewhere on the Seafront. Possible uses might include:-

- Children and Family attractions (Themed attractions & play areas)
- Wet & Dry Sporting attractions to compliment Yellowwave (e.g. sporting centre, board sports, wave riding machines/surf centre, marine related sports)
- Art & Heritage related attractions (e.g. Vintage Car & Motorcycle Heritage & Galleries)



Proposal

Brighton & Hove City Council are inviting expressions of interest for the site from interested parties to be received at the Brighton Office of Oakley Commercial (for the attention of Chris Oakley MRICS) no later than 5pm Friday 4th November 2011.

Interested parties are requested to make comprehensive submissions in writing outlining the proposed use for the site and in particular:-

- a) Comprehensive overview of the proposals for the site
- b) Details of the project team
- c) Details of how the venture will be funded and any supporting funding information
- d) Preference will be given to those parties who provide a Business Plan and or details of experience in running similar ventures elsewhere
- e) The type of tenure required & rental proposal
- f) Any other information considered to be relevant

Tenure

The site will be available to lease either long or short term.

The Council retain an open mind about the type of attraction that could be placed or developed upon the site and as such would consider leasing the site upon the basis of receipt of a market rent, capitalised rent payment over the term of a lease or a combination of the two.

Consideration would be given to a market rent being paid or a base rent with top up based upon turnover. Rent reviews could be determined by market value or increases in RPI.

For more information/submissions

Oakley Commercial
23 & 24 Marlborough Place
Brighton
East Sussex BN1 1UB
Tel 01273 688882

Contact

For more information contact sole agents

Oakley
01273 688882
www.oakleyproperty.com

Chris Oakley MRICS

Email chriso@oakleycommercial.com
Tel 01273 645776

Matthew Wakemen

Email mattheww@oakleycommercial.com
Tel 01273 645774

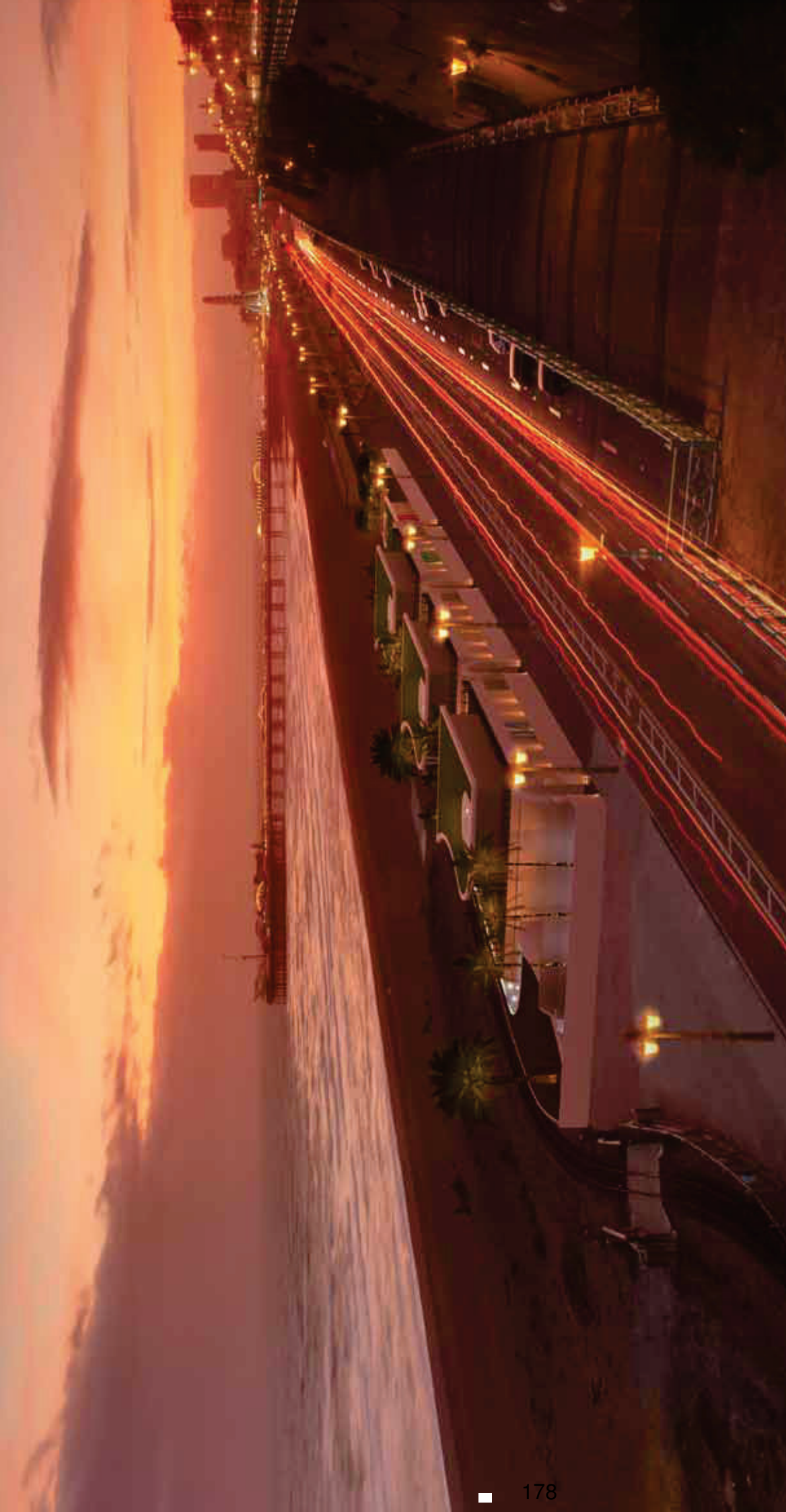


**Brighton & Hove
City Council**

On behalf of Brighton & Hove City Council



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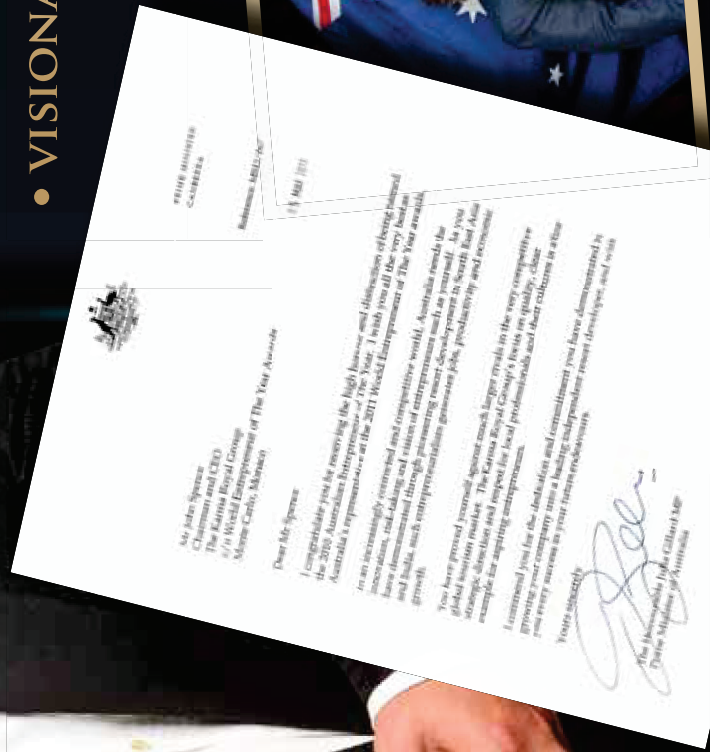


BRIGHTON BATHING PAVILION

A UNIQUE PROPOSAL FOR THE FORMER PETER PAN SITE
MADEIRA DRIVE, BRIGHTON AND HOVE

JOHN SPENCE

- CHAIRMAN & OWNER
- 2010 AUSTRALIAN ENTREPRENEUR OF THE YEAR
- WEST AUSTRALIAN TOURISM COMMISSIONER
- PHILANTHROPIST OF THE YEAR
- BRIGHTON BOY!
- VISIONARY WITH GLOBAL PLANS



K

LEADING INDEPENDENT RESORT DEVELOPER IN ASIA-PACIFIC

LEADING HOLIDAY OWNERSHIP GROUP IN THE WORLD
OUTSIDE THE UNITED STATES

18 RESORTS DEVELOPED AND OPERATED

6 UNDER PLANNING AND IN DEVELOPMENT

RESORTS & SALES OFFICES ON 4 CONTINENTS

\$00.0 DEBT OR LEVERAGE

TURNOVER US\$ 109+ MILLION

EBITA 16%+

EQUITY 100% OWNED



GERMANY

CHAKRA RESORT, SCHLIERSEE

ITALY

K2 AT BORGO DI COLLEOLI,
TUSCANY

BULGARIA

K2 AT PARKVIEW BANSKO

ST. TROPEZ

LE PREVERGER

GREECE

KARMA PELIKANOS

JAIPUR

*CHAKRA RESORT

RGBC AT BENAULIM

RGBC AT ROYAL PALMS

RGBC AT MONTE RIO

RGBC AT HAATHI MAHAL

ROYAL KOVILAM BEACH CLUB

GOA

KERALA

ROYAL LIGHTHOUSE VILLAS
AT BOAT LAGOON

PHUKET

KOH SAMUI

*CHAKRA RESORT

PALAWAN

*CHAKRA RESORT

BALI LOMBOK

RBBC AT CANDIDASA

RBBC AT JIMBARAN BAY

RBBC AT SANUR

KARMA KANDARA, UNGASAN

KARMA JIMBARAN, JIMBARAN BAY

*CHAKRA RESORT, UNGASAN

ROYAL REEF RESORT

*CHAKRA RESORT, GILI MENO

ROTTNEEST

ROTTNEEST LODGE

CHIANG MAI

ROYAL BELLA VISTA COUNTRY CLUB AT CHIANG MAI

*CHAKRA RESORT

ROYAL HIMALAYAN CLUB
AT SHIMLA

BAHAMAS

*KARMA BAHAMAS

* IN PLANING



KARMA RESORTS



ROYAL RESORTS



CHAKRA RESORTS



VERTICALLY INTEGRATED

LAND ACQUISITION

LAND DEVELOPMENT

SALES & MARKETING

RESORT MANAGEMENT

BARS & RESTAURANTS

FINANCING

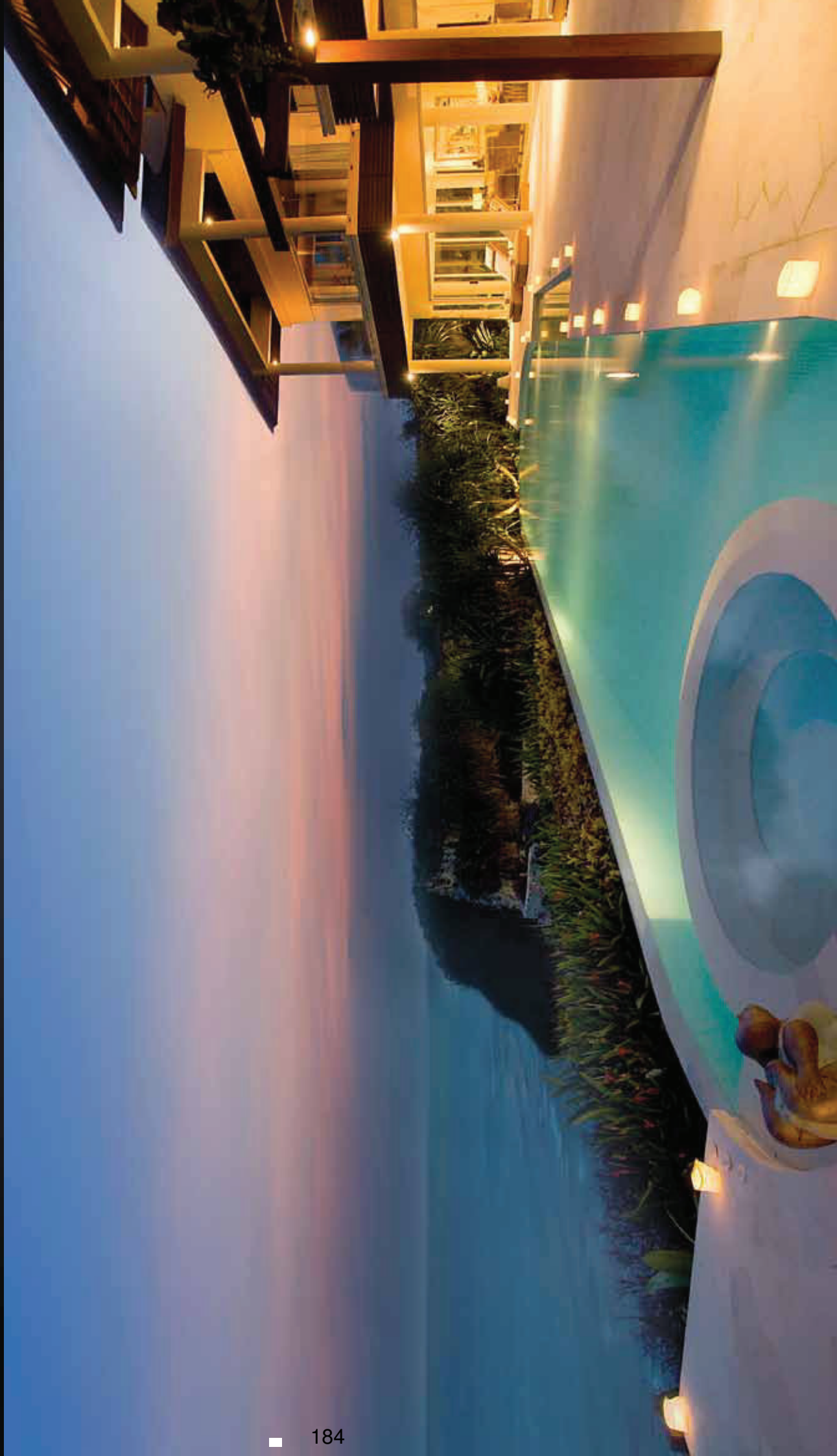
OTHER SERVICES



KARMA KANDARA - BALI, INDONESIA



KARMA KANDARA - BALI, INDONESIA



di Mare

RESTAURANT AND LOUNGE



NAMMOS

kandara



K

KARMA SPA



KARMA JIMBARAN - BALI, INDONESIA



KARMA JIMBARAN - BALI, INDONESIA



KARMA SAMUI - KOH SAMUI, THAILAND



KARMA SAMUI - KOH SAMUI, THAILAND



KARMA PELIKANOS - MYKONOS, GREECE



KARMA PELIKANOS - MYKONOS, GREECE



THE CONCEPT

BRIGHTON BATHING PAVILIONS

5 'ZONES'

PETER PAN'S PLAYGROUND

AN INDOOR / OUTDOOR CHILDREN'S PLAY ZONE

1

R



THE CONCEPT

BRIGHTON BATHING PAVILIONS

5 'ZONES'

KARMA SPA

A YEAR ROUND SPA AND HEALTH CENTRE

2

K



THE CONCEPT

BRIGHTON BATHING PAVILIONS

5 'ZONES'

THE KARMA CLUB

A PRIVATE MEMBERS CLUB WITH LIBRARY CLUB BAR AND
OFF-SITE ACCOMMODATION
RECIPROCAL RELATIONSHIP WITH OTHER CLUBS BOTH
KARMA AND THIRD PARTY



THE CONCEPT

BRIGHTON BATHING PAVILIONS

5 'ZONES'

KARMA BEACH

A MEDITERRANEAN STYLE BEACH CLUB AND RESTAURANT





THE CONCEPT

BRIGHTON BATHING PAVILIONS

5 'ZONES'

THE BATHING PAVILIONS

AN OUTDOOR SWIMMING AND SUNBATHING AREA





CONSTRUCTION & SUSTAINABILITY

YEAR ROUND HARD CONSTRUCTION

SUMMER TENTED PAVILIONS

LOCAL CONSULTANTS, CONTRACTORS AND SUPPLIERS

TIMBER-FRAME AND ROBUST DESIGN

A SUPER-INSULATED LOW ENERGY DESIGN EMPLOYING RAINWATER
RE-USE AND SOLAR COLLECTION FOR THE POOL AND WATER SYSTEMS
INTERNALLY I.E. FOR THE SPA

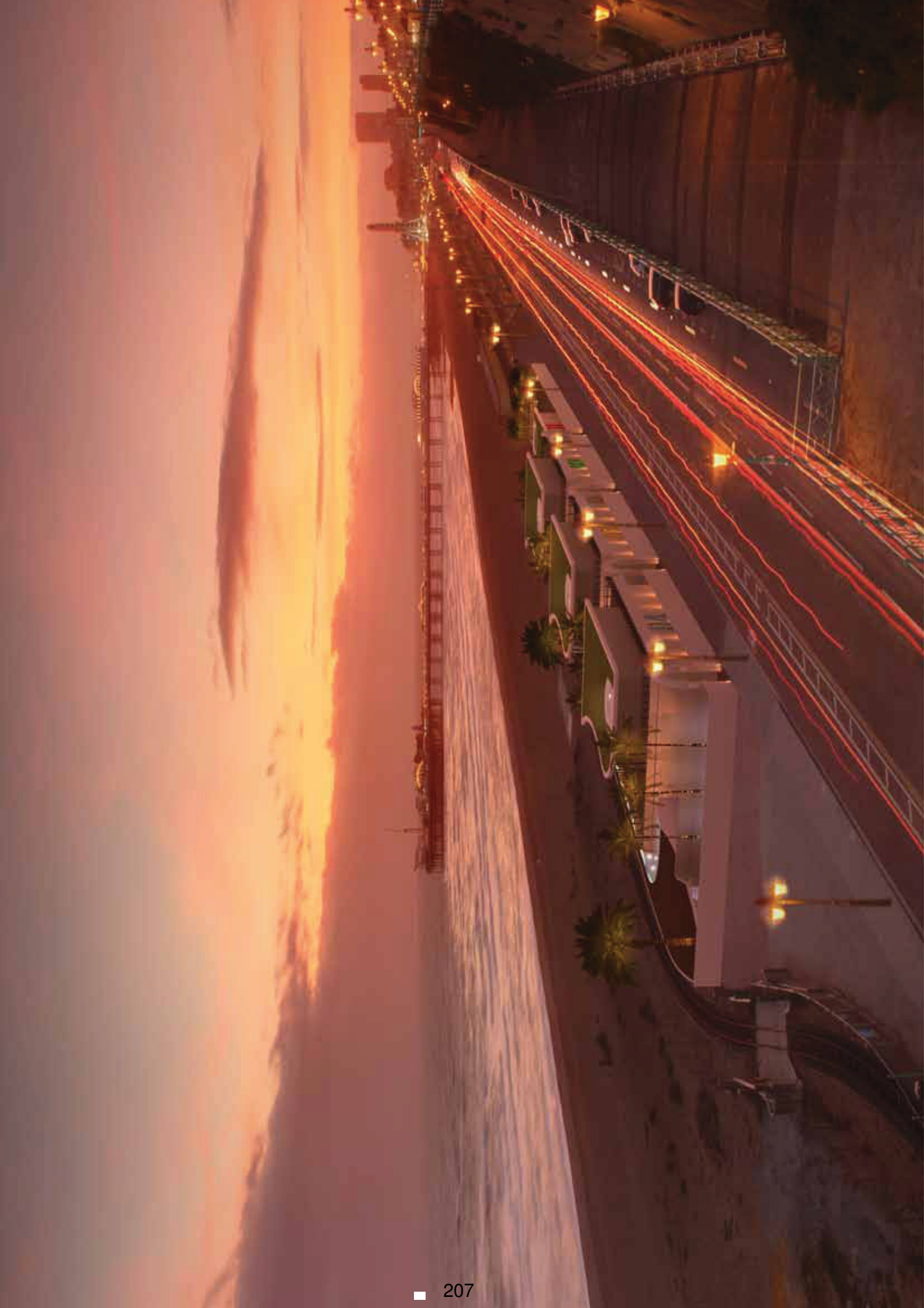
CORPORATE CULTURE OF ECO AWARENESS

STAGED DEVELOPMENT

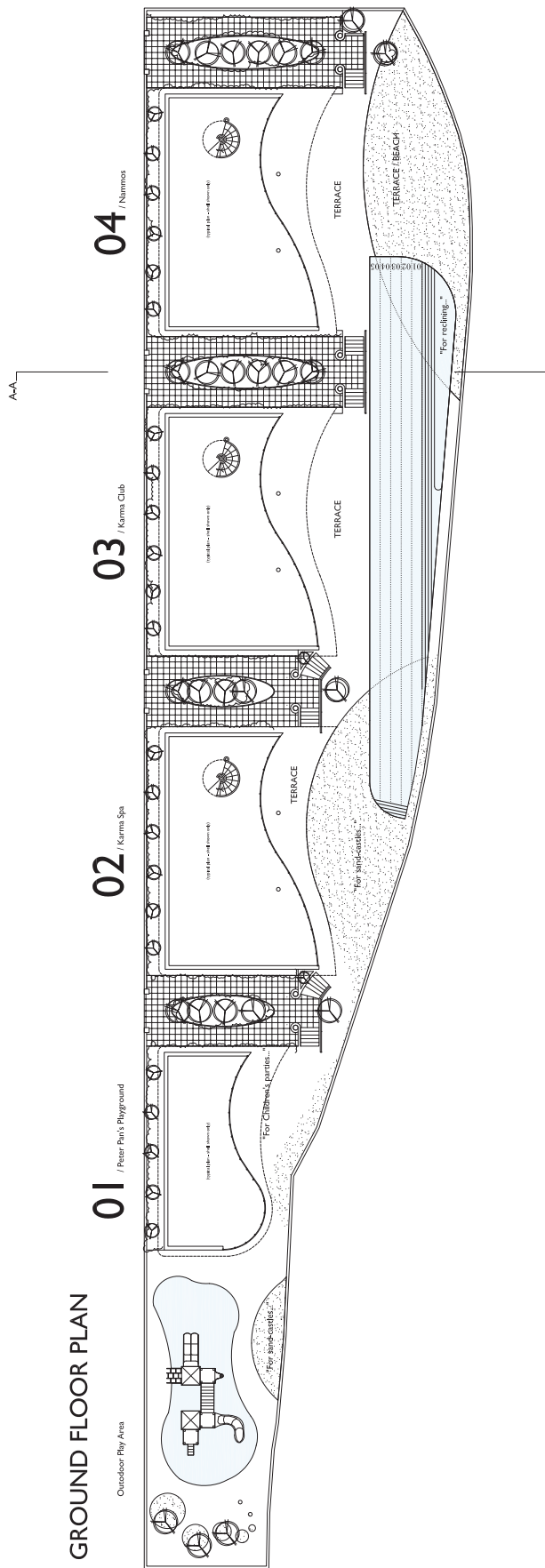


ARTIST IMPRESSIONS

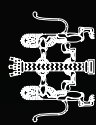
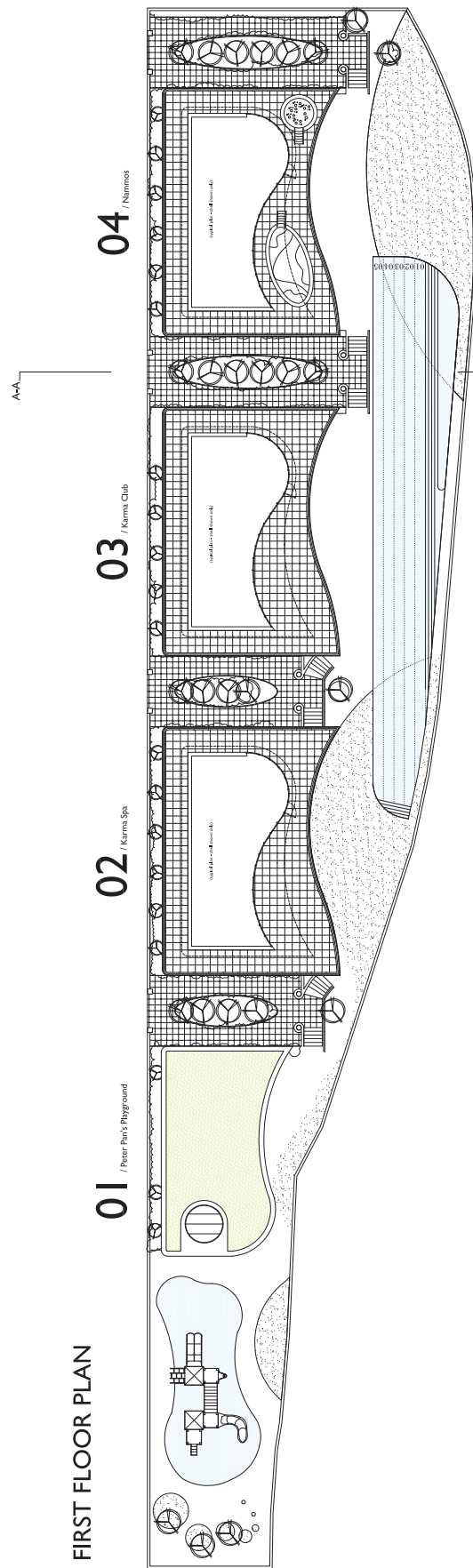
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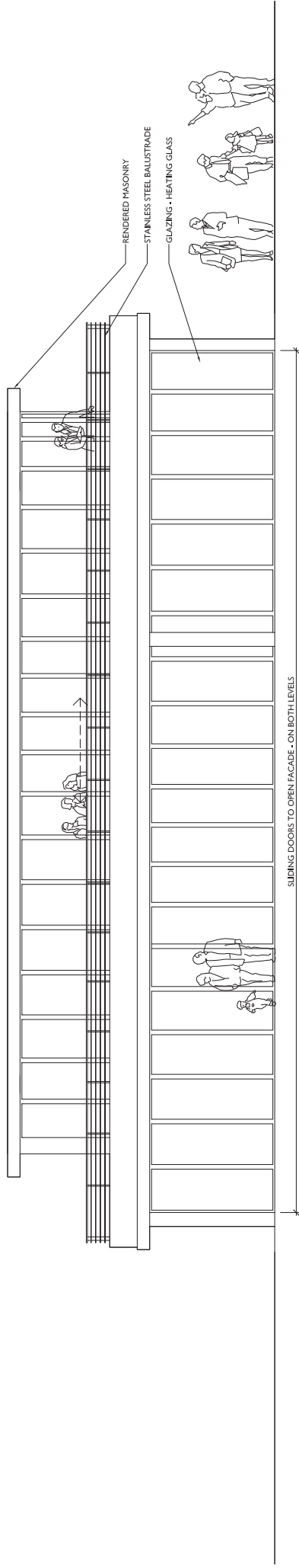


GROUND FLOOR PLAN

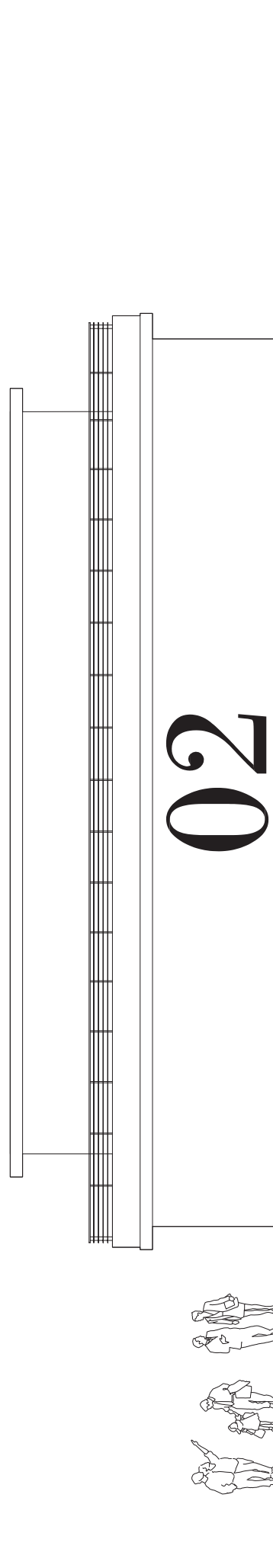


FIRST FLOOR PLAN

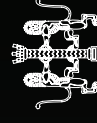




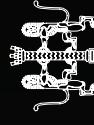
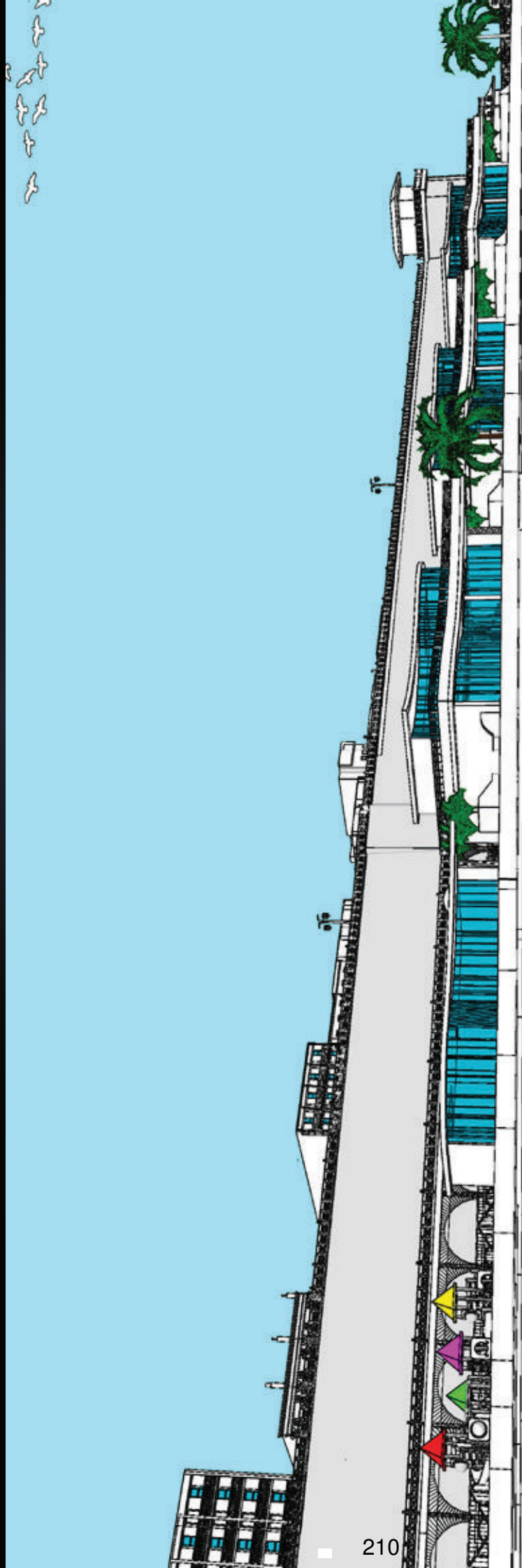
Typical Elevation - FRONT / FACING SEA

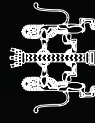
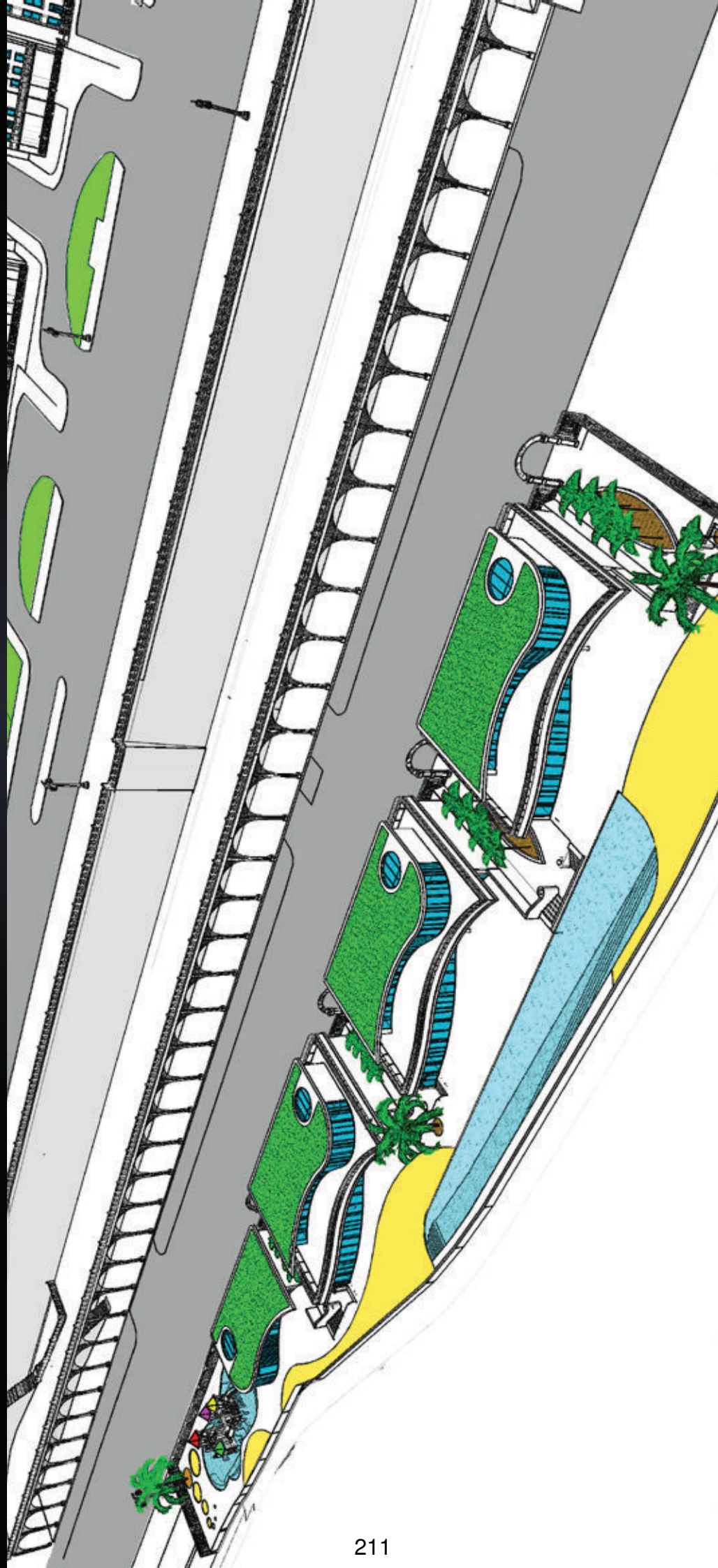


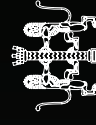
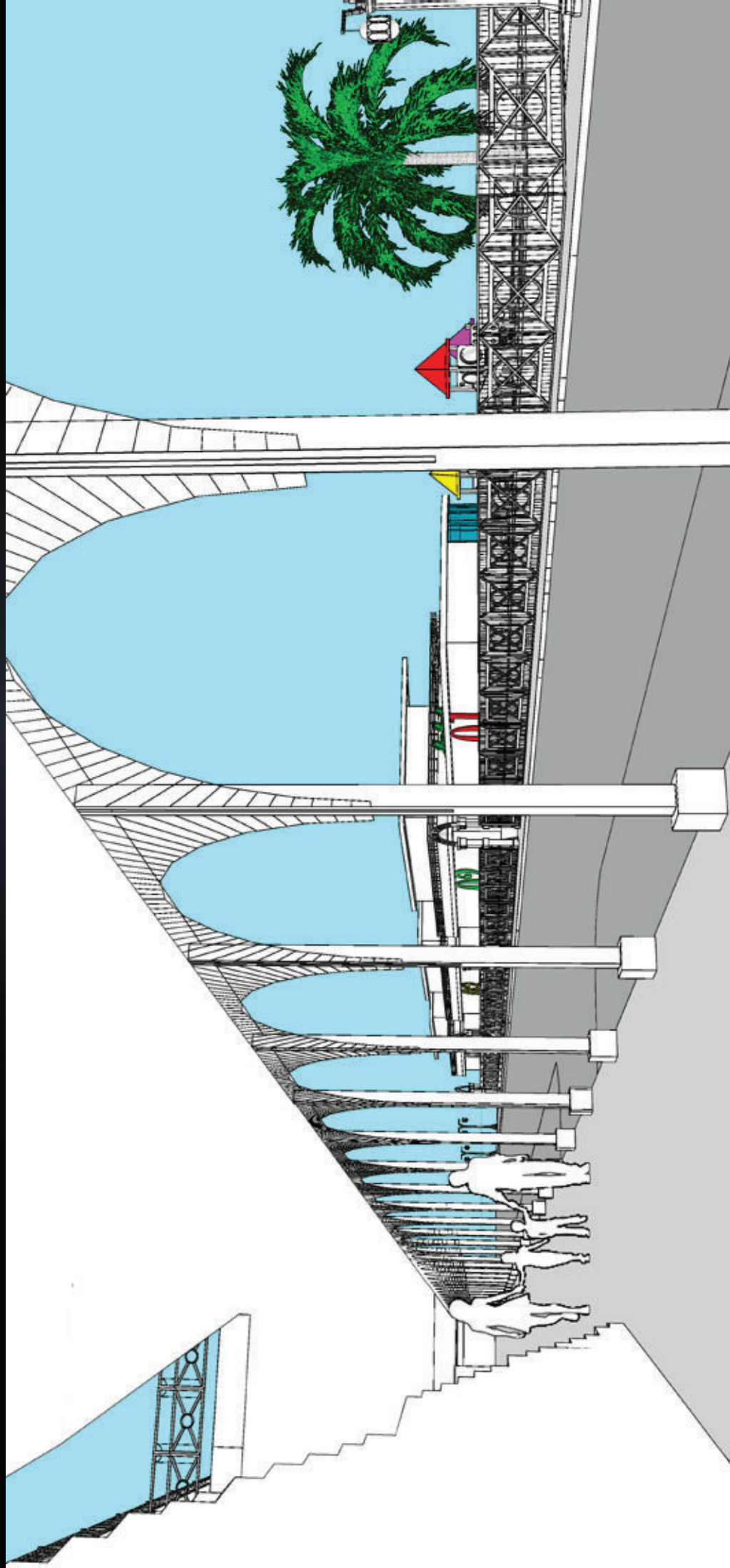
Typical Elevation - REAR / FACING MADEIRA DRIVE



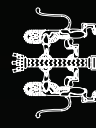
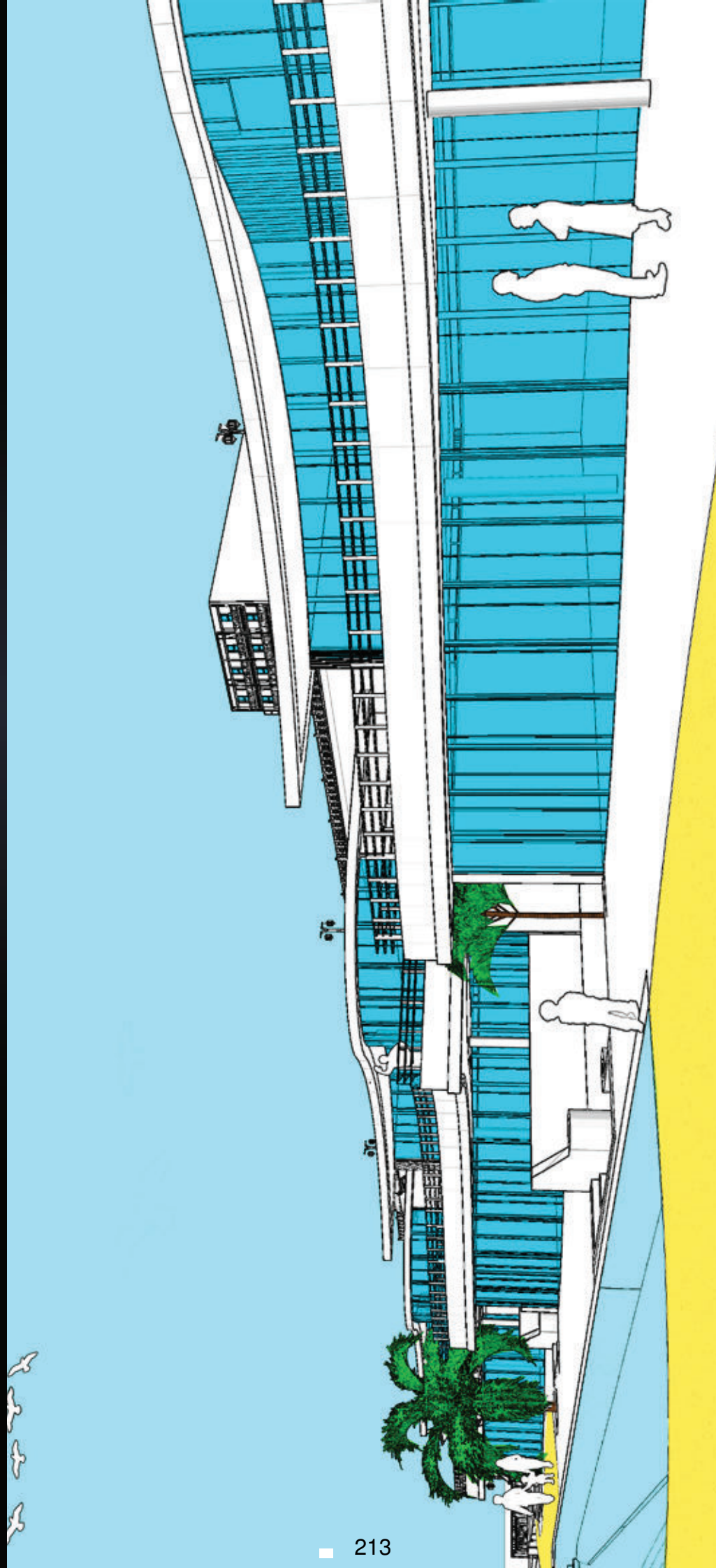
SKETCH IMAGE

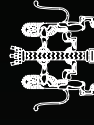
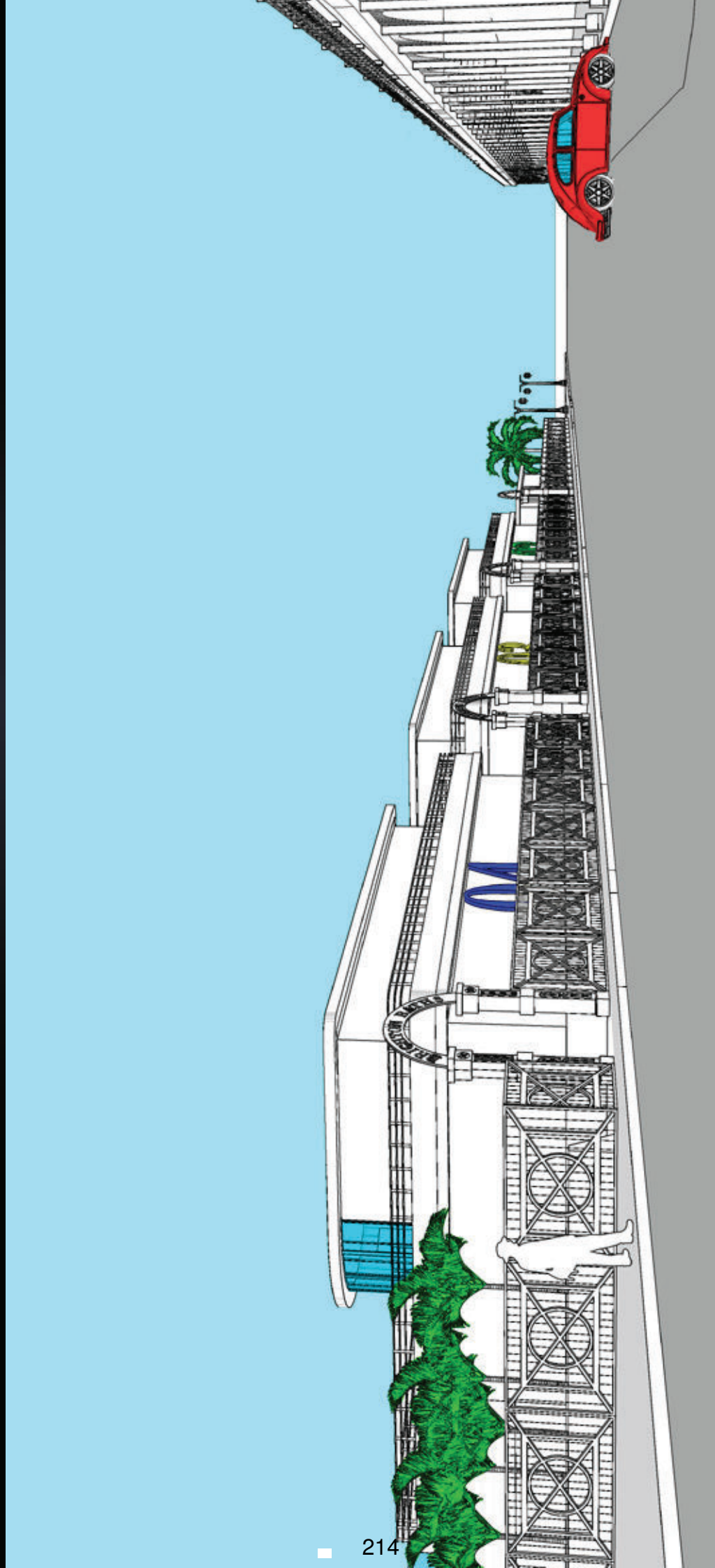






SKETCH IMAGE





KEY FEATURES / BENEFITS

NON EXCLUSIVE & YEAR ROUND

LARGE RANGE OF PRICE POINTS

PR WORTHY AND 'UNIQUE'

A HIGHLY SUSTAINABLE PROPOSAL

LANDMARK DESTINATION... PROMOTE BRIGHTON AND
BRING IN VISITORS

PROJECT AND BRIGHTON PROMOTED EXTENSIVELY THROUGH
KARMA'S GLOBAL PR AND MARKETING REACH

SIGNIFICANT EMPLOYMENT & REVENUE GENERATOR
FOR LOCAL ECONOMY







REQUIREMENTS

LONG TERM LEASE

HELP WITH CONSENTS AND APPROVALS

SUPPORT

HELP WITH PARKING SOLUTIONS (VALET)

K

CONCLUSION

...IT WOULD BE NICE TO COME HOME!!

K



we create...

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 12

Brighton & Hove City Council

Subject:	Ultrafast Broadband Bid 2012: Wired for Growth		
Date of Meeting:	21 June 2012		
Report of:	Strategic Director Place		
Contact Officer:	Name:	Max Woodford	Tel: 29-3541
	Email:	max.woodford@brighton-hove.gov.uk	
Key Decision:	Yes		
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 In the March 2012 Budget Statement the Chancellor announced an additional £50m to provide ultrafast broadband for cities. This is in addition to £100m previously announced in 2011 by DCMS for 10 Super-Connected Cities (including London, Edinburgh, Cardiff, Birmingham, Manchester, Leeds/Bradford, Newcastle & Bristol).
- 1.2 Brighton & Hove has been invited to submit proposals to accelerate Superfast Broadband provision in the city and to extend provision of Ultrafast Broadband. A formal Invitation To Tender (ITT) has been recently issued by the Department for Culture, Media & Sport (DCMS) with a September 2012 State Aid compliant submission deadline. The bid submission will be similar to that recently made by core cities such as Birmingham and Bristol. The business case sought from the government, is sustainable economic development and business growth. If successful, the additional government funding on offer to Brighton & Hove is thought likely to be in the region of £5-10m with options for match funded investment from broadband infrastructure providers such as BT Openreach, Virgin Media or others able to provide broadband infrastructure to business. Delivery by a reputable provider is likely to be subject to a procurement exercise drawing on approved frameworks or on OJEU compliant procurement process. Compliance with EU State Aid rules will be essential.
- 1.3 A small officer team with support from Wired Sussex has convened to outline the business case for the bid and define a specification for a specialist consultant to draft the technical aspects of the bid and to handle complex and potentially contentious State Aid issues.

2. RECOMMENDATIONS:

That the Economic Development & Culture Committee agrees to:

- 2.1 Note the recommendation of the allocation of up to £150,000 by Policy & Resources Committee on 14th June 2012 from unallocated general reserves to support submission of an Ultrafast Broadband Bid to government, costs including expert consultancy and legal costs;
- 2.2 Support submission of a bid to the government in accordance with the timetable and criteria when published;
- 2.3 Delegate finalisation of the bid to the Strategic Director Place.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 'Ultrafast Broadband' is defined (Dec 2011) by the lead government department, Culture Media Sport, as providing a minimum download speed (rateable rather than actual) of at least 80 megabits per second upgradeable to 100 megabits per second (Mbps). This compares to 'Superfast Broadband' speeds of 24 Mbps. The government attaches significant importance to the capacity of Information Communications Technology (ICT) infrastructure in sustaining the UK's international economic competitiveness and hence has sought to bolster and accelerate the pace of private sector investment with targeted public sector investment in identified 'Core Cities' and, as anticipated, growth potential cities such as Brighton and Hove.
- 3.2 Many businesses and public sector agencies in the city are increasingly reliant on the broadband infrastructure of the city and wider region to cost effectively access their customers, suppliers and clients. For some years Brighton and Hove has earned a reputation as a leading 'Creative & Digital Media' city in the UK. However, we are no longer alone in making this claim nationally or internationally. As such, if existing businesses are to compete effectively and we wish to continue to attract leading edge new companies to locate and invest in the city, the ICT infrastructure underpinning our business sectors needs to be world class.
- 3.3 It is also the case that access to public services will become increasingly dependent on accessing the web and it is in the wider social interests of the city to ensure a robust and inclusive infrastructure.
- 3.4 A small officer team, with support from Wired Sussex, has convened to outline the business case for the bid and define a specification for a specialist consultant to draft the technical aspects of the bid and to handle State Aid issues.

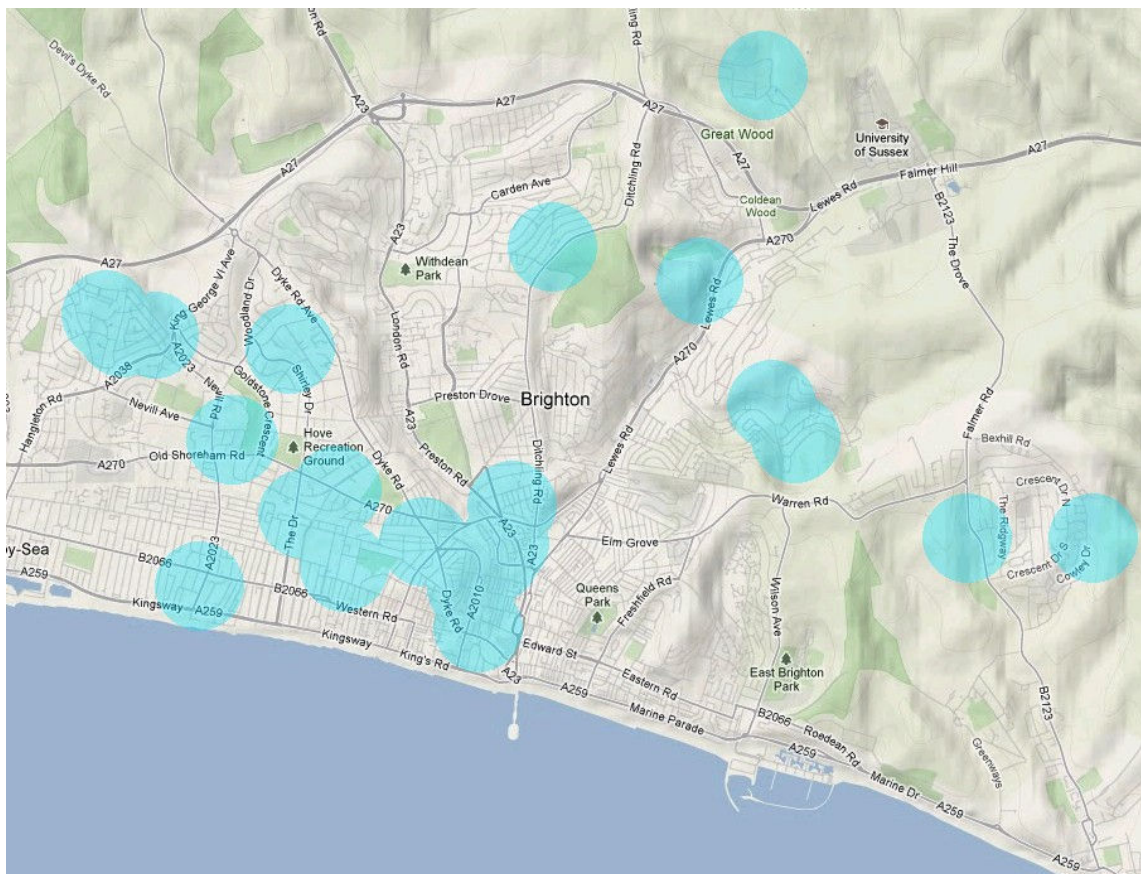
Bid Business Case

- 3.5 The city's broadband network continues to be upgraded and is dependent on: a) the economic need and willingness to pay of businesses and consumers; and, b) the investment plans and funding commitments of infrastructure providers – mainly BT Openreach and Virgin. Businesses in the city have 4 main broadband infrastructure options:
 - i) Direct and bespoke provision by very large companies where the requirements are substantial and the costs significant;

- ii) Ethernet connection to the main network via a broadband provider business package. This provides significant bandwidth and thus up and down load capacity but comes at a cost of some tens of thousands pounds per year;
- iii) Standard broadband connections using entirely fibre optic cable connection (Fibre To The Premise-FTTP) or copper cable connection to the premise and fibre optic cable to a nearby cabinet (Fibre To The Cabinet-FTTC). These come in a variety of cost options and will be the same or similar to the offers to the home user;
- iv) Micro businesses and freelancers may use wireless internet at various locations around the city, either free at cafes or through subscription services. However, free public wireless connection is not available on any scale in the city at present.

3.6 In theory 99.42% of the population is currently estimated to be covered by 'superfast' broadband in Brighton & Hove. However, most areas experience differences between advertised 'up to' broadband connection speeds and the reality of day to day to service. This is largely due to 'contention rates' (i.e. the number of concurrent broadband users on the network at any one time) that can affect speed, capacity and reliability of service due to the 'bandwidth' and exchange constraints of the infrastructure network. As business and domestic applications using broadband technology increase in size and volume, this will rapidly slow the responsiveness of the network and thus constrain the growth potential of dependent businesses. As set out below there may be some significant areas of the city where limited capacity is likely to be affecting the business community/

Figure 1: 'Slow Spots' 2Mbps & Less



- 3.7 The bid submission will need to collate and present expert evidence to support the case for public investment to accelerate and extend the existing pace of private sector investment. A sub-optimum digital infrastructure is no longer sustainable for local businesses competing in a global sector. Without investment in the city's broadband infrastructure, the UK and south east will be unable to capitalise on the business innovation harnessed in the city. Ultimately the foothold established in this highly competitive and fast changing sector is at risk of being lost. Spin-off economic opportunities will not be realised.

Investing for sustainable business growth

- 3.8 Based on the information available to the project team, the recommended goal is to enable the creative and digital media sector hosted in the city to continue to expand as a distinct but integral part of the South East and London digital economy with global reach. Through the bid, we are seeking to equip the city and the businesses that locate within it with a broadband infrastructure and business network to match or exceed that of our global competitors:

- ✓ an ongoing commitment to upgrading digital infrastructure in the city and thereby optimise the business potential from developments in the Information Communications Technology industry;
- ✓ enabling residents and visitors to the city to experience the best in information service technology;
- ✓ ensuring our digital infrastructure is accessible to and inclusive of all sections of our community in helping to meet household, income and public service needs & requirements.

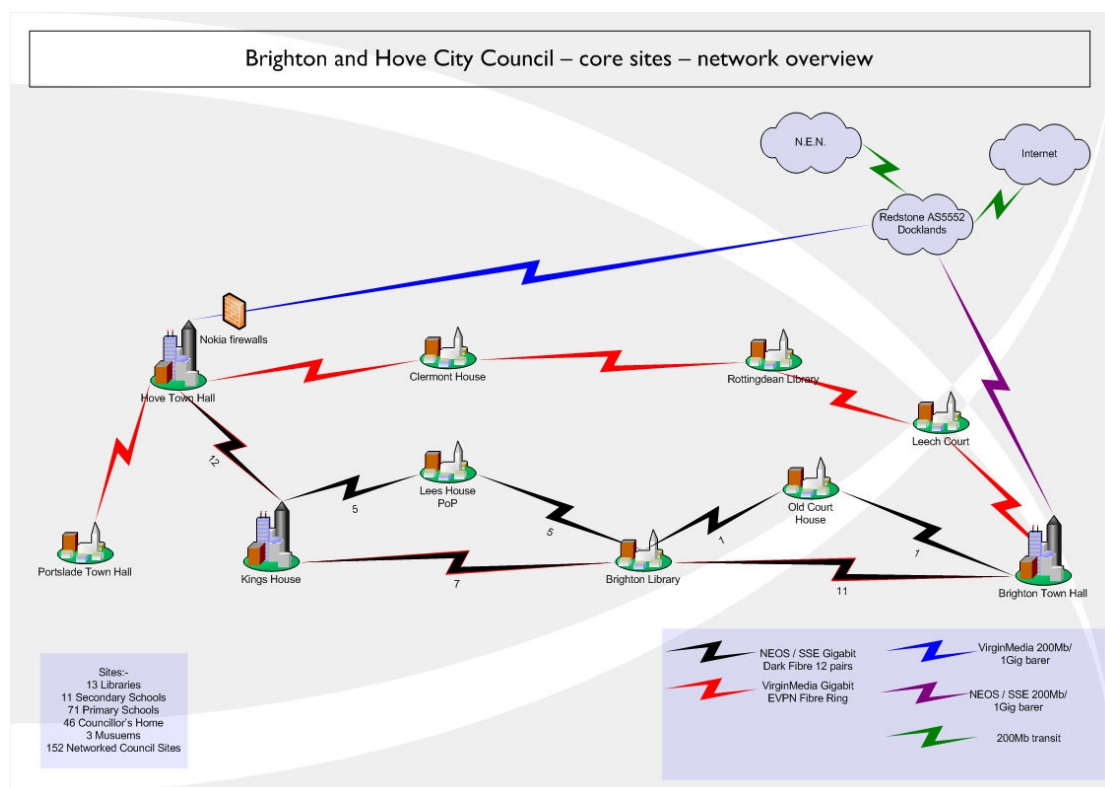
- 3.9 The initial work of the project team suggests a fourfold public/private investment approach including:

Wireless City - A commercially sponsored roll out of outdoor web access for phones, tablets and other portable devices within the central commercial and business districts of the city, including the sea front. Work undertaken by Westminster Council suggests a 'concessionary agreement' procurement route. Investment will include a network of low voltage wireless units mounted primarily on council property assets notably lamp columns and buildings.

100% coverage of superfast broadband - Subject to match funding commitments from the main infrastructure providers, this will accelerate and extend the roll out of new exchange cabinets across the city providing more extensive fibre optic cable to the cabinet (FTTC) and where fundable, more widespread fibre optic cable to the premise (FTTP).

Commercialisation of 'dark fibre' - The City Council has 12 pairs of fibres which leased from SSE. This provides connectivity between 5 BHCC 'locations' – HTH, KH, BTH (including Barts House), Jubilee Library and the central museum / pavilion complex. There is also a 'legacy' connection to Lees House at the bottom of Dyke Road which is a key point of presence on several national networks. This is represented in Figure 2. Further work can be done to explore the potential for letting some of this capacity on a commercial basis, subject to the contractual position with SSE.

Figure 2: Council 'dark fibre' network



Ultrafast Site Specific - This may include a variety of development locations such as Station Gateway, New England & North Laine Business Quarter, Lewes Road Knowledge Corridor (From Sussex University to Valley Gardens - including ex Amex offices & new Hospital sites), the Seafront & Cultural Quarter, Hove Station area, Shoreham Harbour, the Marina and Black Rock site.

3.10 Timing is currently estimated as:

May Bid criteria & opportunity announce expected from Govt
Jun Appoint appropriate consultants & complete detailed bid & clarification with officials
Sep Bid submission to Ministers
Oct Govt announce successful bidders
Nov Commence implementation & formal procurement.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

4.1 No significant community or wider business engagement has been undertaken to date. Phil Jones from Wired Sussex is supporting the officer project team and may be able to provide quick feedback and input on commercial needs and the business case for the bid. Engagement has commenced with BT Openreach and officers are seeking to open up a similar dialogue with Virgin and any other broadband infrastructure providers. Once the scope of the bid is clear the project team will initiate consultation with key business representatives to seek their input and support in making a robust and evidenced business case.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The Targeted Budget Management Provisional Outturn 2011/12 report to Policy & Resources on 14th June 2012 recommends the allocation of up to £150,000 to support the delivery of Superfast Broadband provision in the City and to extend the provision of Ultrafast Broadband throughout the city. The costs will support consultant and legal costs associated with the preparation of the business case to support the delivery of the bid to the government.

If the bid to the government is successful, the additional government funding on offer to the city of Brighton & Hove is thought likely to be in the region of £5m out of a total fund of £50m with potential for match funded investment from broadband infrastructure providers.

Finance Officer Consulted: Rob Allen

Date:28.5.12

Legal Implications:

- 5.2 The Council can rely on its economic development and general competence powers in participating in the bid. Expenditure of any sums awarded by the Government must comply with the Councils Contract Standing Orders, Public Contract Regulations and the EU Procurement Rules. There is a risk that the investment will be classified as State Aid, in which case it might need to be authorised by the EU, depending on whether it falls within one of the tolerated exceptions. Legal risk here will be reduced by the lessons' learned from the first tranche of authorities granted funding, and also by engaging consultants at an early stage to help design the bid in a way which complies with the State Aid rules.

Lawyer Consulted: Bob Bruce Principal Solicitor

Date:28.5.12

Equalities Implications:

- 5.5 A more effective and affordable broadband infrastructure that improves access to all sections of the community can bring significant advantages to the daily lives and future prospects of city residents.

Sustainability Implications:

- 5.6 An effective and efficient broadband infrastructure creates opportunities to reduce the cities carbon footprint such as reducing the need to travel.

Business impact

- 5.7 There is a strong imperative to use available public funds to improve the resilience and competitiveness of the local economy and extend the benefits of global reach. A world class broadband infrastructure will be critical to the efficacy of the City Investment Prospectus currently in development.

Crime & Disorder Implications:

- 5.8 Broadband is an essential part of the regulatory infrastructure of the city. Particular attention will be directed at 'wireless' provision on police and emergency service communications systems.

Risk and Opportunity Management Implications:

- 5.9 The government have opted to vest State Aid compliance with successful bid authorities. State Aid rules in this field are complex and it has been estimated that up to £100k may need to be provided for in terms of seeking expert legal opinion and in managing compliance with EU monitoring.

Public Health Implications:

- 5.10 Broadband access can play an important part in managing information dissemination concerning public health.

Corporate / Citywide Implications:

- 5.10 The Council has an important facilitating role to play in supporting submission of a bid that offers economic and social benefit to the city.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The Council is not obliged to bid for the public funds announced by the Chancellor however this may be widely perceived as a failure of civic leadership.
- 6.2 The final bid will consider options in the light of government guidance.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 In addition to seizing the government invitation to bid, the outcomes sought include:
- Competitive advantage for Brighton & Hove businesses particularly the creative & digital media sector and the visitor economy;
 - Enhanced digitalisation of public services;
 - Site specific value & marketing uplift (e.g. Block J New England Quarter);
 - Greater regional economic significance & influence (e.g. link to 'Tech City' in London);
 - Enhanced digital inclusion.

SUPPORTING DOCUMENTATION

Appendices:

None.

Documents in Members' Rooms

None.

Background Documents

On line bidding documentation

http://www.culture.gov.uk/what_we_do/telecommunications_and_online/8830.aspx

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 13

Brighton & Hove City Council

Subject:	<i>Amendments to wooden beach hut specification – Hove Promenade</i>		
Date of Meeting:	21st June 2012		
Report of:	<i>Strategic Director Communities</i>		
Contact Officer:	Name:	<i>Viki Miller</i>	Tel: 01273 292716
	E-mail:	viki.miller@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	Wish, Westbourne, Central Hove		

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To provide an update on the consultation undertaken to introduce amendments to the beach hut specification on the painting of the beach Hut doors (single solid colour or vertical stripes) size of the doors (double or half doors) and the letting of the hut for exhibitions (by application only)

2. RECOMMENDATIONS:

- 2.1 (1) That the Economic and Development and Culture committee members note the result of the consultation exercise on changes to the specification of beach huts and the temporary change of use.
- 2.2 (2) That the Economic and development and Culture committee member approve the changes taking in to account the results of the consultation.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 It is important to distinguish that this report relates to a consultation on privately owned wooden beach huts located on Hove promenade and not beach chalets which are owned and let by the Council. (see appendix 1&2)
- 3.2 The beach huts on Hove promenade are highly sought after and hold significant historical and traditional value. The enjoyment of the seaside is a key recreational resource for thousands of the city's residence as well as vast numbers of tourists.

- 3.3 The beach huts have formed a part of Hove seafront for many years, Brighton and Hove City Council inherited the huts when Brighton and Hove became a unitary authority in 1997. Many of the huts had been built to varying specifications although all were painted in the specified colours.

Complaints were received from existing beach hut owners wishing to make alterations to their beach huts for safety and security reasons but were restricted by the current specification. Officers assessed what changes to the specification would be required to ensure all the huts became compliant. Although there are a vast number of discrepancies in design and / or materials used only a few minor changes would mean that all the huts comply with the specification and allow for a degree of flexibility adding to the overall appeal of the huts.

- 3.4 Over the last several years officers have become aware of a growing appetite for the beach huts to be used as part of temporary exhibitions and charity fundraising events. This is due to the popularity of the huts and their iconic link to the city. These events offer a chance for media exposure and encourage further visitors to the seafront. Therefore a suggestion to allow a temporary change of use was included in the consultation.

- 3.5 A consultation was undertaken and 460 beach hut owners were sent details along details along with there annual licence renewal letter. The survey was available to complete both on –line and in paper format. Details were also advertised on the council website and at the public information desk at the seafront office. There were 61 responses to the consultation. 56 on-line and 5 paper. This represented 12% of the owners.

- 3.6 A Summery of the Responses to the survey are indicated in the table below.

1. We propose that there may be some variation made to the specification to allow the hut doors to be constructed using tongue and Groove OR panelling.
2. We propose to allow some variation to the size of the doors.
3. We propose to allow a variation in the design to allow vertical stripes OR a single solid colour
4. We propose the owner may apply to the seafront office for a 4 week permit to alter the appearance of the hut or to use the hut for exhibitions.

Question	Agree	Disagree	Don't Know
One	90 %	10/%	
Two	61 /%	39%	
Three	59%	41%	
Four	85%	15%	

As the results show there were a majority of responses in favour of the changes.

- 3.7 Although some changes to the external features of the huts are proposed the main characteristics will remain unchanged. The uniform appearance of the huts will remain with the dimensions and external colours staying consistent with each other. The changes to the doors of the hut will enhance the visual appearance of the huts and add further interest to these popular iconic structures.

4. CONSULTATION

A consultation exercise has been undertaken using a survey accessible both online and in paper format the survey was available to existing beach hut owners and any members of the public. Internal consultation was undertaken with the Planning Conservation team who have no objections to the proposed amendments to the specification.'

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no direct financial implications arising from the recommendations of this report and the Officer time required to implement the changes can be accommodated within existing resources.

Finance Officer Consulted: Michelle Herrington

Date: 28/05/12

Legal Implications:

- 5.2 The terms and conditions of the beach Hut licence will need to be amended to reflect the changes recommended.

Lawyer Consulted: Name Bob Bruce

Date: 28/05/12

Equalities Implications:

- 5.3 None Specifically

Sustainability Implications:

- 5.4 None Specifically

Crime & Disorder Implications:

- 5.5 None Specifically

Risk and Opportunity Management Implications:

- 5.6 None Specifically

Corporate / Citywide Implications:

5.7 None Specifically

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 The Options have been considered in the consultation exercise.

6. REASONS FOR REPORT RECOMMENDATIONS

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents In Members' Rooms

1. None

Background Documents

1. None

Beach Hut Consultation Questions

Question 1

The current beach hut specification states that the doors of the hut must be constructed of plywood and be panelled.

We propose that there may be some variation made to the specification to allow the hut doors to be constructed using tongue and groove **OR** panelling.

[Agree / Disagree](#)



Question 2

The current beach hut specification states that the doors of the hut must be to a specified size.

We propose to allow some variation to the size of the doors.

[Agree / Disagree](#)



Question 4

The current terms and conditions state that alterations cannot be made to the hut, site or place.

We propose the owner may apply to the Seafront Office for a 4 week permit to alter the appearance of the hut or to use the hut for exhibitions. This may be in conjunction with a fundraising event or linked to the Brighton festival. The council reserves the right to decline applications.

[Agree / Disagree](#)

Question 3

The current beach hut specification states that the doors of the hut must be painted one single solid colour.

We propose to allow a variation in design to allow vertical stripes **OR** a single solid colour.

[Agree / Disagree](#)





Talk to us about your beach hut's appearance

Brighton & Hove City Council will be undertaking a beach hut consultation from the 1st February and we would appreciate your views. Please go to www.tinyurl.com/BHbeachhuts

If you require a paper version, please contact the Seafront Office on **01273 292715**.



**Brighton & Hove
City Council**

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 14

Brighton & Hove City Council

Subject:	Ovingdean Conservation Area Review		
Date of Meeting:	June 2012		
Report of:	Strategic Director of Place		
Contact Officer:	Name:	Sanne Roberts	Tel: 292261
	Email:	Sanne.roberts@brighton-hove.gov.uk	
Ward(s) affected:	Rottingdean Coastal		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report provides a summary of response to the recent consultation on a review of Ovingdean Conservation Area. The consultation results show strong support for extending the conservation area boundary to meet that of the South Downs National Park. This report seeks approval for the amended boundary and adoption of the revised Character Statement. This will provide an up-to-date assessment of the special interest of the conservation area, in order to help preserve and enhance this special interest.

2. RECOMMENDATIONS:

- 2.1 That the Ovingdean Conservation Area Character Statement is adopted, subject to any minor grammatical and non-material alterations agreed by the Strategic Director of Place following consultation with the Chair of the Economic Development and Culture Committee
- 2.2 That the proposed boundary changes, as illustrated in annex 4, be approved and formally designated as part of the Ovingdean Conservation Area under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Ovingdean Conservation Area was designated in 1970. Since designation, the conservation area and its boundary have not been reviewed, and no up-to-date character statement therefore exists. An area of the Ovingdean Conservation Area, unaffected by the boundary change proposals, falls within the South Downs National Park.
- 3.2 Two phases of formal consultation have been undertaken as part of this review: A draft Ovingdean Conservation Area Character Statement and boundary review were approved for a first phase of public consultation at the PEER Cabinet Member's meeting on 11 July 2011. This proposed removal of the farms area from the conservation area, as shown in annex 1, as the area comprises modern buildings of no architectural interest. Formal public consultation took place

between 8 August and 18 September 2011. The response to this consultation showed a high level of support for preserving and enhancing the special interest of this area. There was a strong response to the proposed boundary amendment, with the majority of responses requesting that the area be enlarged – rather than reduced - to include the farms area to the north and allotments to the south and thus align with the boundary to the South Downs National Park.

- 3.3 As a result, a revised character statement and boundary - reflecting the consultation response – were approved for further consultation at the PEER Cabinet Member Meeting on 2nd February 2012, and consultation took place between 13th February and 25th March 2012. The response to this phase of consultation supports the revised boundary proposal and character statement, as described below.
- 3.4 The character statement (as amended following the consultations), which is appended at annex 2 and has been placed in Members' Rooms, is in line with current guidance from English Heritage (2011). It is informed by historic research and on-site analysis. It describes the overall character of the area and notes four distinct character areas. The revised boundary proposal better reflects the area of special historic interest – particularly in terms of the historic importance of farming to the village - and aligns with the boundary to the South Downs National Park. The proposed boundary changes are shown in annex 3.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Two phases of formal consultation have been undertaken. During both phases of consultation, copies of the draft statement were made available on the Council's website, at City Direct Offices and at Rottingdean Library. Local residents, businesses, Ward Councillors, South Downs National Park Authority, Ovingdean Residents and Preservation Society and other local and national amenity societies, English Heritage and other key stakeholders were consulted. Posters were displayed in the area, and an article placed in the Ovingdean Residents and Preservation Society Newsletter. The statement was reported to the Council's Conservation Advisory Group (CAG). A meeting was also held with members of Ovingdean Residents and Preservation Society on 05 October 2011.
- 4.2 The responses to the second phase of consultation are summarised in annex 4. 9 responses were received, of which 6 supported the revised boundary proposal and amended character statement. 1 response objected to the revised boundary proposal. It suggested that the conservation area should be reduced in size, but only if the boundary to the South Downs National Park could be extended to meet that of the conservation area. 1 response suggested a number of very minor adjustments to the 'Spatial Analysis' section of the character statement, which have been incorporated into the final document. 3 responses support the making of an Article 4 Direction, which has been brought forward separately to this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Costs associated with the adoption of the Ovingdean Conservation Area Character Statement and boundary extension will comprise staff time and press notices in the Brighton & Hove Leader and London Gazette. These will be met from within existing Planning revenue budgets.

Finance Officer Consulted: Karen Brookshaw

Date: 04/05/12

Legal Implications:

- 5.2 The Council has a duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act") to review its area, from time to time, to determine whether any parts or further parts should be designated as conservation areas. There is no statutory requirement for public consultation prior to designation but this is considered best practice. The 1990 Act also grants local planning authorities a power to vary or cancel such designations.

- 5.3 No adverse human rights implications are considered to arise from the Report

Lawyer Consulted: Hilary Woodward

Date: 8/5/12

Equalities Implications:

- 5.3 An Equalities Impact Assessment (EQIA) of the Conservation Service was undertaken in 2010 and covers work on the designation of conservation areas.

Sustainability Implications:

- 5.4 The proposals in this report have no substantial impact upon the four priorities of the UK's Sustainable Development Strategy 2005 (sustainable consumption and production, climate change, natural resource protection and sustainable communities).

Crime & Disorder Implications:

- 5.5 None have been identified.

Risk and Opportunity Management Implications:

- 5.6 The failure to maintain the character and appearance of the area and its historic buildings could lead to adverse publicity for the Council.

Public Health Implications:

- 5.7 Preservation and enhancement of the special interest of a conservation area can improve the well-being and sense of place of existing and/or future inhabitants of the area.

Corporate / Citywide Implications:

- 5.8 The proposals accord with the corporate priority of Creating a Sustainable City, as set out in the Corporate Plan 2011-2015. More specifically the character statement and boundary review are a response to the Council's priority to create a higher quality built environment and to preserve our architectural heritage.

SUPPORTING DOCUMENTATION

Appendices:

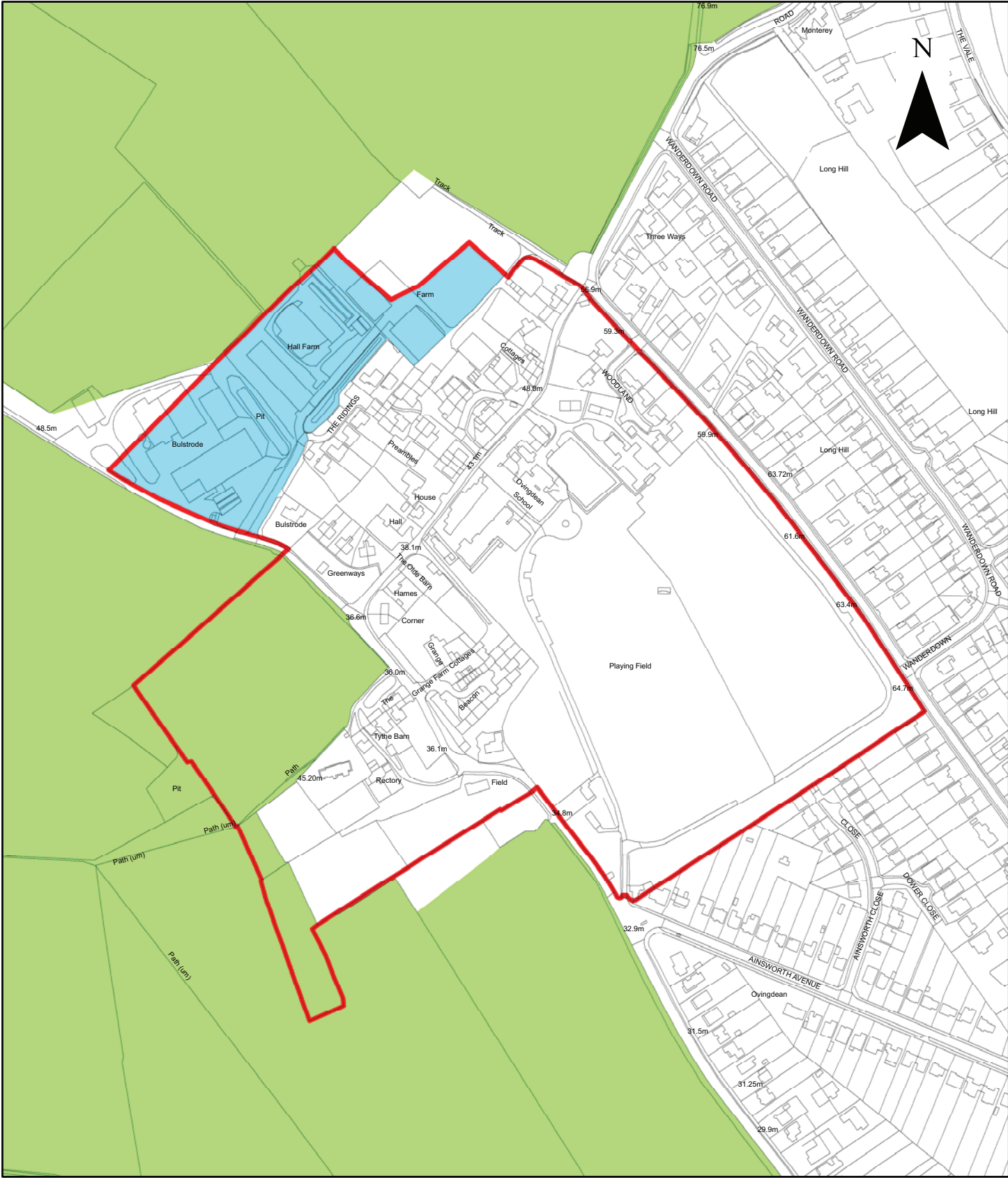
1. Original boundary proposal from the first phase of consultation
2. Revised boundary proposal
3. Revised Ovingdean Conservation Area Character Statement
4. Summary of consultation responses

Documents in Members' Rooms

1. Ovingdean Conservation Area Character Statement

Background Documents

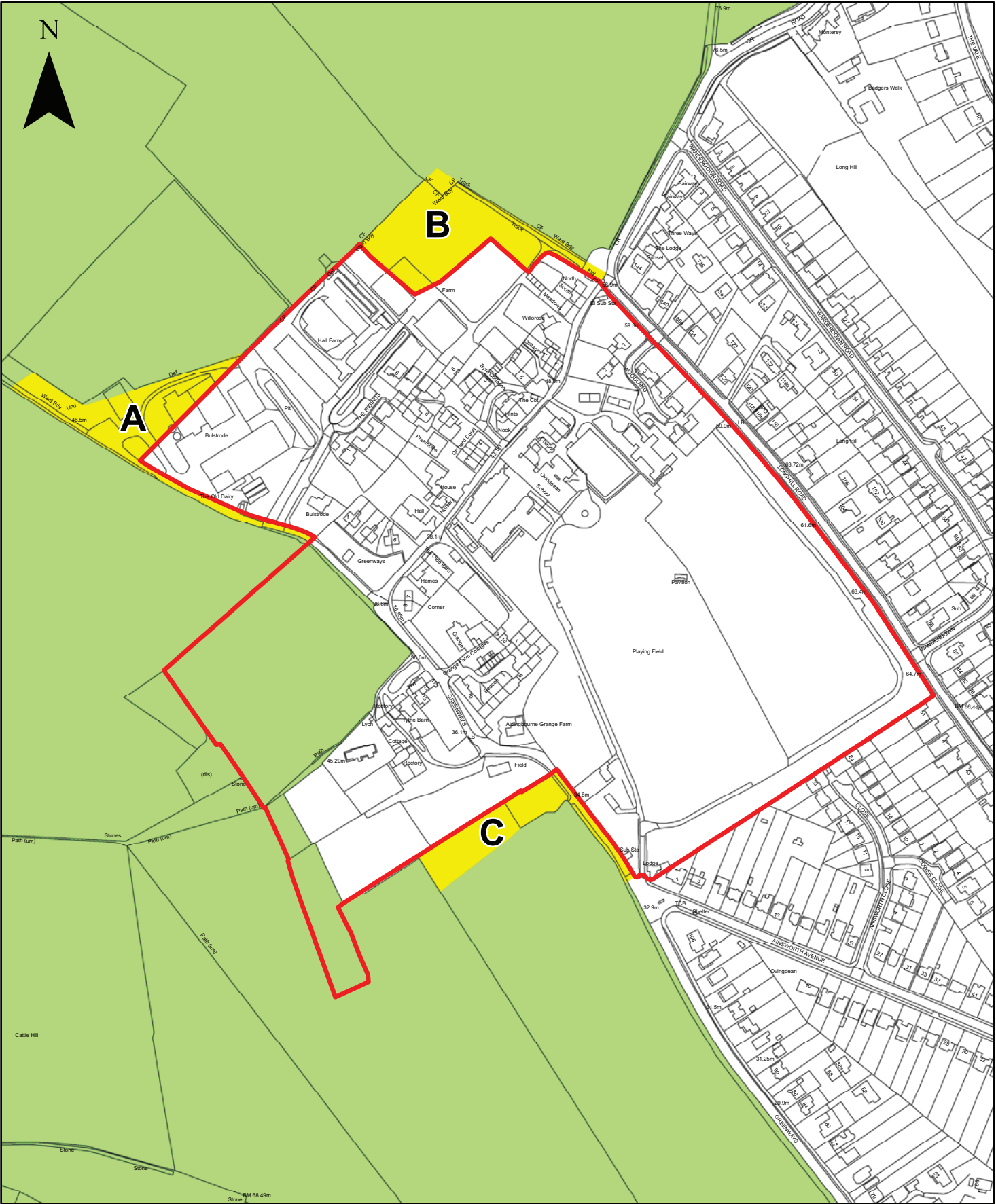
1. Letters of representation
2. Minutes of the Conservation Advisory Group – 13 March 2012



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- Conservation Area
- Remove
- South Downs National Park Boundary



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-  Conservation Area
-  Proposed extension
-  South Downs National Park Boundary

Ovingdean Conservation Area

Character Statement

Designated: 1970

Extended: 2012

Area: 21 Hectares 2147 Acres

Article 4 Direction controlling incremental change made 24 April 2012



Introduction

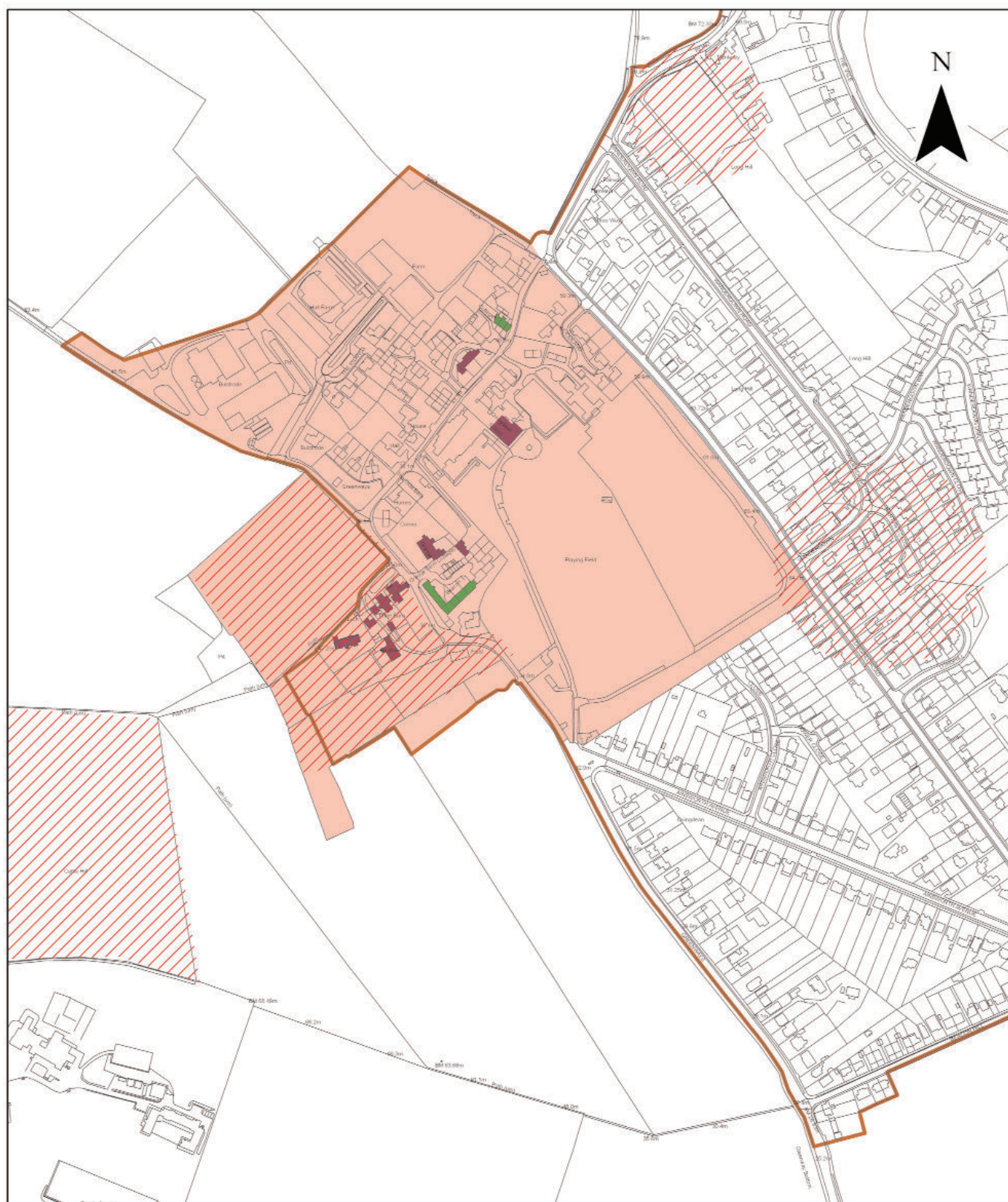
Location and Setting

Ovingdean comprises a small agricultural hamlet, set in rural downland, 4.2km to the east of Brighton and approximately 1km north of the coastline. The historic part of the village nestles at the base of a valley, surrounded on three sides by open downland. 20th century residential development extends up the valleyside to the south and east; however the surrounding downland remains the dominant feature. The topography creates a particularly inward-looking village, much removed from the hustle and bustle of neighbouring Brighton and the A259. Its location away from main routes in the area mean that the historic village is still a relatively quiet backwater, although increased levels of traffic travelling through the village has affected this.

Ovingdean Conservation Area was designated in 1970 and centres on the historic village. It is bounded by Longhill Road to the northeast, the grounds of Ovingdean Hall to the southeast, the woodland to the rear of St Wulfran's Church to the southwest and Hog Croft Field and the operational farm to the north. Amongst its heritage assets, the area contains 14 listed buildings, two buildings of local interest and an archaeological notification area (see Existing Designations graphic - page 2). Three further archaeological notification areas are located in the immediate surroundings. Ian Fraser House (Blind Veterans UK) - a centre providing support to blind ex-Service men and women - is a grade II listed complex situated at the junction of Greenways and the A259; to the south of the village. Hog Croft Field and the westernmost portion of the conservation area were designated as part of the South Downs National Park in 2010, along with surrounding downland to the north, south and west.

A conservation area is defined as '*an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*'. The area has changed since designation. This document seeks to define and assess the current 'special interest' of Ovingdean Conservation Area, and make recommendations for its future management.

Existing Designations



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Assessment of Special Interest

General Character

Ovingdean developed as an isolated farming community and manorial estate. The manorial estate was originally located on what is now the open field of Hog Croft, and closely associated with the church. The church itself is particularly historic: dating to at least the Norman period, if not earlier. The Manor was rebuilt as the current Ovingdean Grange in the 16th century, whilst Ovingdean Hall was constructed in the 18th century with its own associated farm. Greenways Corner was reconfigured in the 1930s, and residential developments occurred to the south and east throughout the 20th century. Historic farm buildings within the old village were replaced by purpose-built farm structures to the north in the 1980s, with the original farm buildings converted to residential use. Throughout these changes however, the village has remained a secluded rural village, albeit now predominantly residential in character.

The old village retains its medieval street layout, which orientates towards the former manorial site at Hog Croft Field. A former village pond straddling the east boundary of this field suggests the possible presence of a spring - although this dried up in c.1934. The presence of a pond is probably an important factor in the origin of the village - which likely formed a watering hole for livestock.

The main architectural pieces comprise St Wulfran's Church (and the buildings that flank its approach), Ovingdean Grange, and Ovingdean Hall. Other than these, the conservation area is comprised of farm buildings (of which the majority are converted to residential use), vernacular cottages and 20th century infill development. Although the historic farm buildings and cottages are not high status buildings they are nevertheless of special interest in themselves. Despite variance in form and function, the buildings are united through the use of traditional vernacular materials; predominantly flint elevations and clay tile roofs. The 20th century infill development varies in character and architectural quality. Since designation, the historic village has altered greatly due to the loss of a farming presence from the physical centre of the village and the conversion of the historic farm buildings to residential use. This has led to a change in its character. Nevertheless, the area remains of interest particularly due to the surviving flint structures, clay tile roofs and picturesque rural lanes. The historic village and surrounding downland are of great amenity value.

Historic Background and Archaeology

The origins and historic development of the area

The name Ovingdean translates as the 'valley of Ofa's people'. The first record for Ovingdean is in the Domesday Survey, where the manor is identified as 'hovingedean', and the settlement comprised a small church and a population of approximately 50 to 100. After the Norman invasion, part of Ovingdean was held by conqueror Godfrey de Pierpoint, whilst part remained with its former Saxon owner, Brictrmer. These two parts - described here as the western and eastern estates respectively - have distinct histories:

The western part of Ovingdean was one of five Sussex manors granted to Pierpoint; the others being Portslade, Aldrington, Piddinghoe and East Chiltington. Of these, he made Portslade his main residence and manorial court, and gave Ovingdean (which used the Portslade Court and therefore had no court of its own) to a relative. Ovingdean manor house was located on Hog Croft Field. In the 16th century this building was replaced with a new manor house; which was constructed using material from its predecessor. This manor house was renamed 'Ovingdean Grange' in the 19th century.

The history of the eastern part of Ovingdean is less well documented. About a quarter of Ovingdean Parish - including those parts that originally remained with Brictrmer - had been donated to Lewes Priory by 1252. A Lewes Priory Survey of 1445 and deeds conveying land show that after the dissolution of the monasteries in 1537, the lands consisted of the eastern third of Ovingdean Parish, known as the 'eastern farmlands'. Records show that at this time the manor was well-stocked, with 2000 sheep, as well as oxen, cows, hogs and horses. This emphasises the importance of sheep pasture to the village's economy throughout its history.

Throughout the medieval and post-medieval periods the Lord of the Manor was rarely present in Ovingdean. Rather than being used as the residence for the Lord of the Manor, Ovingdean Grange was primarily a farmhouse to the neighbouring Grange Farm to the south. The Grange was immortalised by Harrison Ainsworth in his book '*Ovingdean Grange, A Tale of The South Downs*' (1857), which describes Charles II's stay at Ovingdean Grange during his flight to France in 1651. The story is fictional (the Prince stayed in Brighton); however the Geere Family - who occupied the Grange at that time - are reported to have been involved in organising his return to England.

The 1662 Hearth Tax returns show that there were three sizeable properties in Ovingdean at this time. The rectory and the farmhouse to the eastern estate (occupied by Robert Wildbore) are both recorded as having three flues, whilst Ovingdean Grange is the most substantial house, with six flues.

In the early 18th century, lands in Ovingdean remained divided into two estates. At this time, the eastern part was owned by Richard Beard, whilst the western part was owned by Richard Paine. Upon the death of Richard Beard in 1714, a map was drawn up of the eastern estate (Grover Plan, ESRO BRD 3/4). This shows that the current morphology was already mostly established: Greenways forms an ownership divide along a field boundary; with a track present along the line of Ovingdean Road. Ovingdean Grange and the Church are depicted as being in the western estate. Two further buildings are shown in relation to the church: that to the southeast is likely to be the parsonage. Another to the northeast is situated close to the known location of the Manor House on Hog Croft Field. This suggests that a building remained on the site of the Manor House. This building probably comprised an agricultural building, such as a cattle shelter. Buildings and small fields lining the northern side of Ovingdean Road, are identified as 'The Upper Croft Close and Yards' and 'The Lower Croft and Closes' on the Plan. These form the main farm buildings of the Beard (eastern) estate at this time.

Ovingdean Hall - originally called Ovingdean House - was built in 1792 for Nathaniel Kemp on lands forming part of the eastern estate. His nephew, Thomas Kemp junior, went on to design Kemp Town in 1825. Nathaniel Kemp's son, Charles Eamer Kempe - born at Ovingdean Hall - was a notable stained glass window designer. CE Kempe designed various features of St Wulfran's Church, including windows, the painted chancel ceiling, rood screen and the Kemp family tomb in the graveyard.

The associated Ovingdean House Farm was built along Ovingdean Road, including its own farmhouse (Flints), farmyard and workers' cottages. The farm was constructed on the approximate site of the crofts and farm buildings shown on the 1714 map. It later became known as Upper Farm, before amalgamation with Grange Farm on Greenways.

The rectory was built in 1804 to replace the former 'mean thatched parsonage house' known to exist in c.1780. The tithe map of 1839 (Map 1 - page 5) shows the hamlet at this time. The Church, rectory, Ovingdean Grange, Ovingdean Hall and the two farm complexes are already evident, such that the historic village has taken on much of its current form. The map highlights how integrated the residential (shown in red) and non-residential buildings (shown in grey) were in the village, with barns and houses set cheek-by-jowl. A small village pond is shown at the corner of Greenways and Ovingdean Road, with the early 19th century 'Peartree Cottages' set opposite.

The 1873 1st edition Ordnance Survey (OS) map shows little change from the tithe map. A smithy is depicted to the northwest of the village, and chalk pits to its east and west. The buildings to the east of the church, and to the rear of the Grange, have been altered.

A small 'National School' was constructed in 1873 on Ovingdean Road, and is shown on the c.1890 OS map. Due to falling numbers, it closed in 1907. It was then used as a 'Church Room', until 1993 when it was leased to Ovingdean Nursery School.

Following the death of Nathaniel Kemp in 1843, Ovingdean Hall continued in residential use until c.1890. At that point the Hall was converted to educational use, and opened as a 'Young Gentleman's School'. Numerous extensions were built in 1897, and are shown on the 1910-12 OS map (see Map 2 - page 6). At this time, the settlement remained small, with a population of 248. However substantial residential growth occurred after 1928, when Ovingdean became part of the Borough of Brighton for administrative purposes. The first piecemeal development is shown on the c.1932-3 OS map (see Map 3 - page 6), which shows Longhill Road set out on the line of a former track.

Map 1 - tithe map of 1839



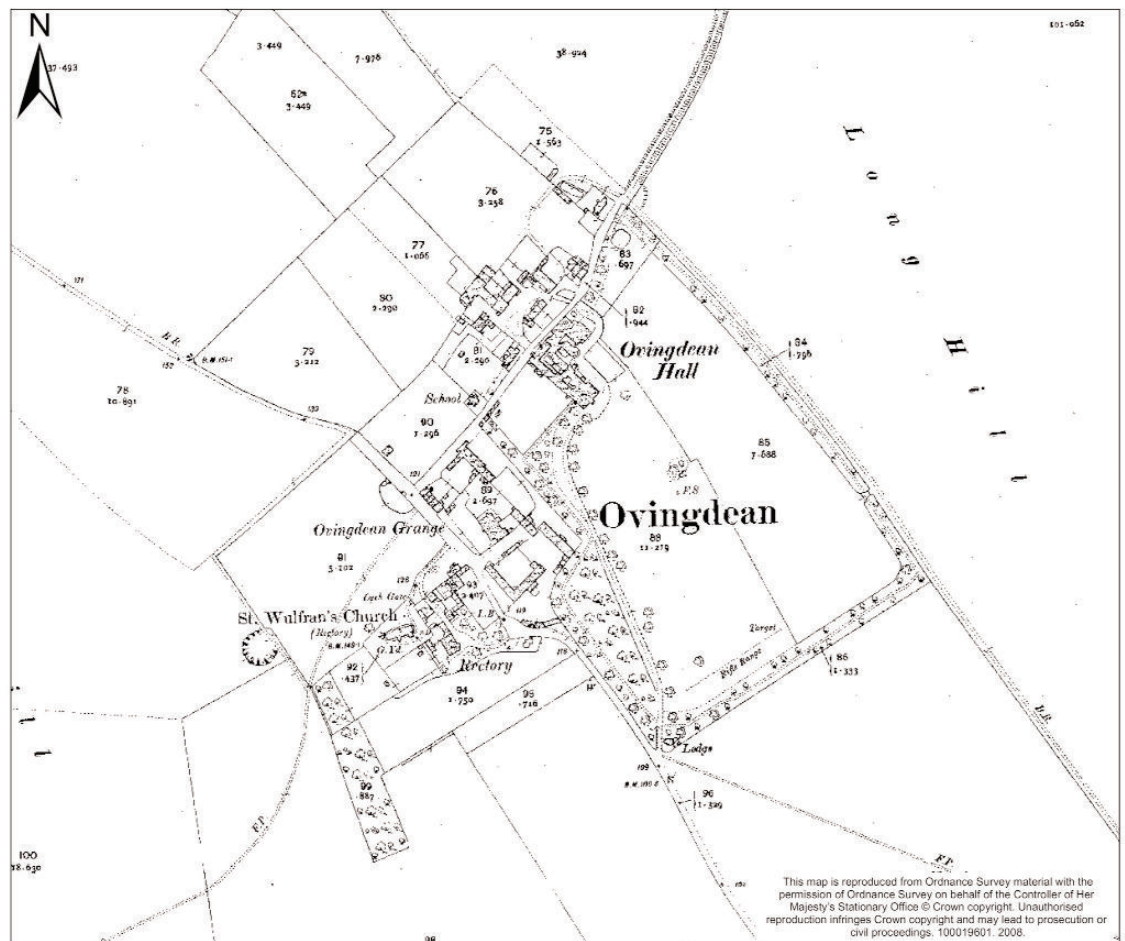
Ainsworth Avenue is also shown on the line of the footpath depicted on the 1714 Grover Map. The ancient landownership divide between the eastern and western estates (as described on page 3) remains evident; with residential growth limited to those lands to the east of Greenways.

Road improvements to the junction at Greenways Corner necessitated the demolition of Peartree Cottages, and a series of semi-detached properties were built at the Corner as replacement farmworkers' cottages. The adjacent pond also dried up at this time, when a mains water pipe was laid to connect Balsdean reservoir and Kemp Town. Infill development occurred along Ovingdean Road, and a Village Hall was constructed in 1932. This was replaced by the present Village Hall in 1986.

Ovingdean Hall remained as a Preparatory School until 1941. During World War II it housed troops from the Canadian Army. The Brighton Institution for the Deaf and Dumb School opened in 1947 and remained in operation until 2010. The Hall now houses an international language college.

In the later 20th century, a number of new residential enterprises were built to the north, many of the original farm buildings were converted to agricultural use and infill developments occurred. These included a poultry farm, built to the north of the village in the 1960s. New farm buildings were also constructed beside these in 1981, releasing the Grange Farm complex for redevelopment.

Map 2 - 1910-12 OS map



Map 3 - c.1932-3 OS map



Archaeological Significance

There is evidence for activity in the area since prehistoric times. The earliest evidence includes Iron Age field systems and a number of barrows, set upon the surrounding open downland.

Evidence for Roman field systems survives on Cattle Hill, to the west of the village. Fieldwalking undertaken on this site by Brighton and Hove Archaeological Society identified a scatter of Roman pottery, as well as a scatter of earlier Bronze Age flintwork. It is possible that a Roman villa or trading coastal station were located in the vicinity.

An Anglo-Saxon burial with iron spearhead was found close to Long Hill Road during construction of a house in 1935.

Geophysical survey and excavations have been undertaken over recent years by Brighton and Hove Archaeological Society on Hog Croft Field. A medieval manorial site has been recorded, dating to late 12th and 13th century, and in use into the 14th century. The complex was closely associated with the church, and included the manor house, barns, a well and timber-framed outbuildings. Walls exposed during excavation were of dressed flint with Caen and chalk quoins, and a number of phases of construction were evident. Evaluation trenches elsewhere in the field exposed a trackway, earthworks and possible dovecote. The area was also used in the filming of *'Oh What a Lovely War'* in 1969, when at least one World War I trench was recreated in the field.

Spatial Analysis

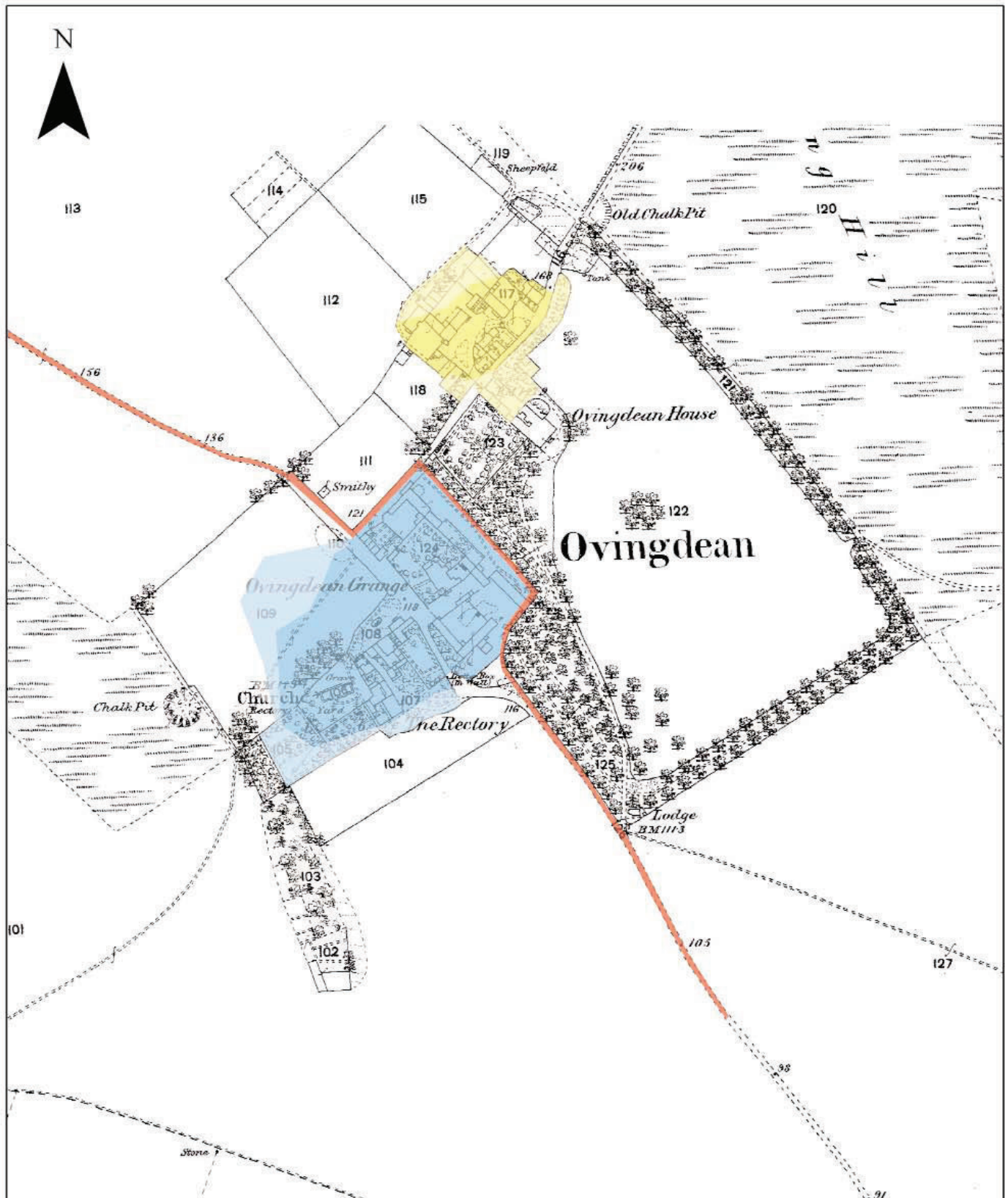
The existing morphology of the historic part of Ovingdean village relates to the ancient landownership divide that existed along Greenways. Land within the manor was divided into eastern and western estates; which were variously owned, occupied and farmed as separate entities. This led to the development of two farming nuclei; that on Greenways which was associated with the western estate (operating from the manor/Ovingdean Grange) and that on Ovingdean Road which was associated with the eastern estate (see Graphic - page 8). The eastern farm was largely rebuilt in the late 18th century as part of Ovingdean Hall, and operated from Flints. This ancient divide and the resulting binary farming focus remains evident in the morphology of the historic village today.

The village retains a rural setting; with downland dominating the surrounding skyline. These ever-present views have a strong presence in the village and contribute to a clear sense of place. Long views to the woodland and open downland on Cattle Hill in particular form the backdrop to views of the Church, which can be viewed in this context along Greenways and from as far away as Beacon Hill.

The roads in the area are generally narrow with irregular or non-existent pavements and grass verges; emphasising the rural character of the village. The narrow, winding and sylvan Ovingdean Road in particular retains the appearance of a quiet medieval country lane; creating an intimate atmosphere. Houses are generally set behind flint walls, at a distance from the road. The flint walls and thick vegetation create a strong boundary to the road. Many of the buildings are set at right angles or are loosely set around former yards - having been converted from farm buildings or originally built to orientate towards the farm rather than the road. Due to later infill and conversion, the overall layout of buildings appears rather ad hoc.

Hog Croft Field and the grounds to Ovingdean Hall are particularly important green spaces in the conservation area. They are, however, important for very different reasons: Hog Croft Field is located at the main junction in the village, and is of particular archaeological significance as the original location of the manor. It now forms a grassed field bounded by a flint wall, and marking the start of open downland to the west of the village. Its former importance as part of the village's civic centre remains evident in the surviving morphology of the village, which orientates towards the space: Ovingdean Road - the main residential axis of the village - leads directly towards it, whilst Ovingdean Grange, St Wulfran's Church, the buildings flanking the approach to the church and the former Grange Farm all orientate towards the space. The village pond (since dried up) was originally situated on the east boundary of the field - emphasising still further its function as an original part of the village centre.

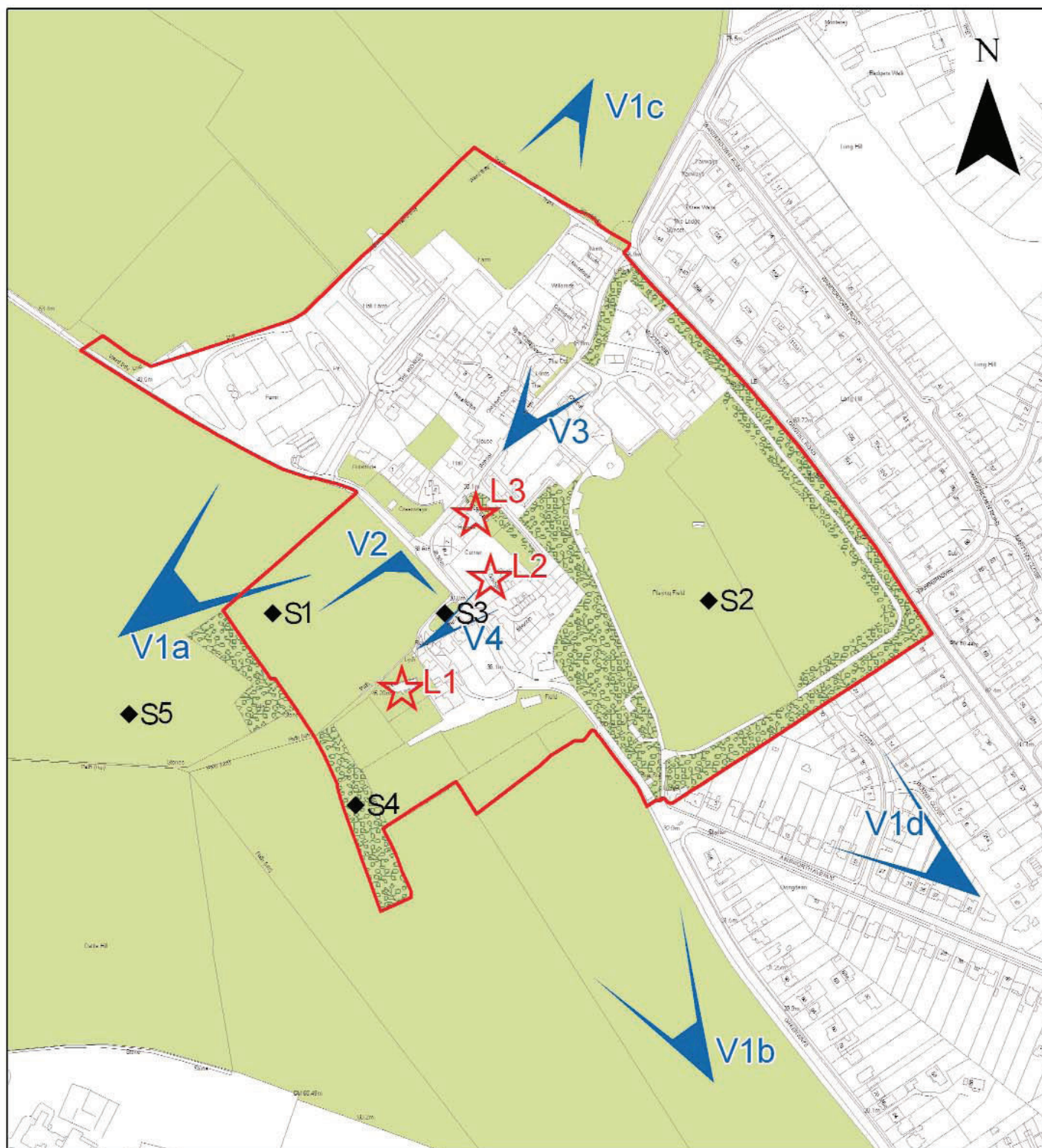
2 Farming Nuclei (based on 1873 OS map).



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- Boundary between Eastern & Western Estates
- Farm associated with Eastern Estate/Ovingdean Hall
- Farm associated with Western Estate/ Ovingdean Grange

Spatial Analysis



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**Brighton & Hove
City Council**

- ◆ S important space
- ★ Important Landmark
- area
- Important View
- Tree cover
- Green space

In contrast to Hog Croft Field, the grounds to Ovingdean Hall are not visually prominent in the area. They form a secluded space on the edge of the historic village, bounded by flint walls and mature vegetation. It is these walls, vegetation and the entrance and lodge on Greenways that are most apparent in the conservation area. To the south and west, the space forms a green 'buffer' between the historic village and surrounding 20th century development.

Important views in, and of, the conservation area include (Spatial Analysis Graphic - see page 9 and Figure 1 - page 10):

- V1. Views between open downland and the village. These include those to and from
 - (a) Cattle Hill,
 - (b) Greenways,
 - (c) downland to the northwest of the village and
 - (d) Beacon Hill.

Within these, views of the Church with woodland backdrop are important.

- V2. Views to Church and the buildings flanking its approach from Ovingdean Grange and across Hog Croft Field.
- V3. Unfolding views along Ovingdean Road
- V4. View of Ovingdean Grange from St Wulfran's Church

Important spaces in and around the conservation area include:

- S1. Hog Croft Field
- S2. Grounds to Ovingdean Hall
- S3. 'The Green'
- S4. Land at Greenways Corner
- S5. Woodland and land to the rear of the church (Cattle Hill)
- S6. Surrounding downland dominating the setting and the skyline of the village; particularly Cattle Hill

Local landmarks in the conservation area include:

- L1. St Wulfran's Church
- L2. Ovingdean Grange
- L3. Barns set throughout the area, particularly the Olde Barn and Tythe Barn

Public Realm

Road and pavement surfaces in the area are mainly generic. However, gravel surfacing to Byre Cottages and The Ridings emphasises its rural character, as does the use of minimal road markings and soft verges throughout the area as a whole. Sarsen stones and white bollards have been used to deter car parking on the green and outside Ovingdean Grange respectively. There is minimal street lighting in the village, which contributes to the retention of a rural character at night. Lighting to Ovingdean Road is of a modern design whilst a single swan-necked design is evident outside Ovingdean Grange. This informal, low key approach to the public realm contributes to its character.

The narrow width and irregular pavements in the area contribute greatly to its character, emphasising their origins as rural farming tracks and lanes. This is particularly true of Ovingdean Road. The roads are, however, now subject to heavy traffic levels relative to their size and character. This has a harmful impact on the character of the area. The lack of pavements in some areas also brings the needs of pedestrians and car users into direct conflict.

Fig 1. Some of the important views in, and of, the conservation area



Character Analysis

The area can be divided into four distinct character areas (Character Area Graphic - page 13): The Church and Manor to the southwest includes the oldest buildings associated with the Church, Manor, western estate and its farm. Ovingdean Road Character Area comprises the fine grain of cottages and converted farm buildings associated with the eastern estate and Ovingdean Hall Farm as well as later infill development. To the north and northwest of Ovingdean is the The Farms Character Area, comprising the late 20th century replacement farm complex, and associated agricultural enterprises. To the southeast is the Ovingdean Hall Character Area, comprising an 18th century residence, with associated grounds and later school buildings.

These four character areas together make up the historic village of Ovingdean.

Character Area 1: The Church and Manor (Graphic - see page 14)

The Church, Manor and associated farm buildings form a compact cluster of prestigious buildings, and are the surviving part of the village's medieval civic centre. The original Manor was situated on what is now Hog Croft Field; and the surviving buildings still orientate towards this space.

The importance of the buildings in this area is reflected in their individual scale and architectural quality. Relationships between the manor, church and agricultural community are reflected through the proximity of these buildings.

Important Spaces

Hog Croft Field

Hog Croft Field (Figure 2) comprises a large grassed field, located at the junction of Greenways and Ovingdean Road. It is bounded by a flint wall, with an unusual stile providing access from beside the church. It is of spatial and archaeological importance to the village as it is the site of the early medieval Manor complex. The site has been subject to excavation by the Brighton and Hove Archaeological Society. Earthworks remain noticeable within the field, which is given over to grazing. These relate almost exclusively to the deserted manorial complex, but some are the consequence of later use as part of the film set for 'Oh What a Lovely War'.



Fig 2- Hog Croft Field

The area is protected through a tenancy arrangement as permanent pasture. This allows both the appearance of the field and the surviving archaeological features to be preserved in situ.

'The Green'

A small green space is situated on the approach to St Wulfran's Church. Although actually forming Church land, this space is often nevertheless referred to as 'The Green', 'The Village Green' or 'The Church Green'; and is used for a variety of community and Church events. The space is an important part of the setting of the Church and the buildings flanking its approach, and helps establish this area as the historic civic heart of the village.

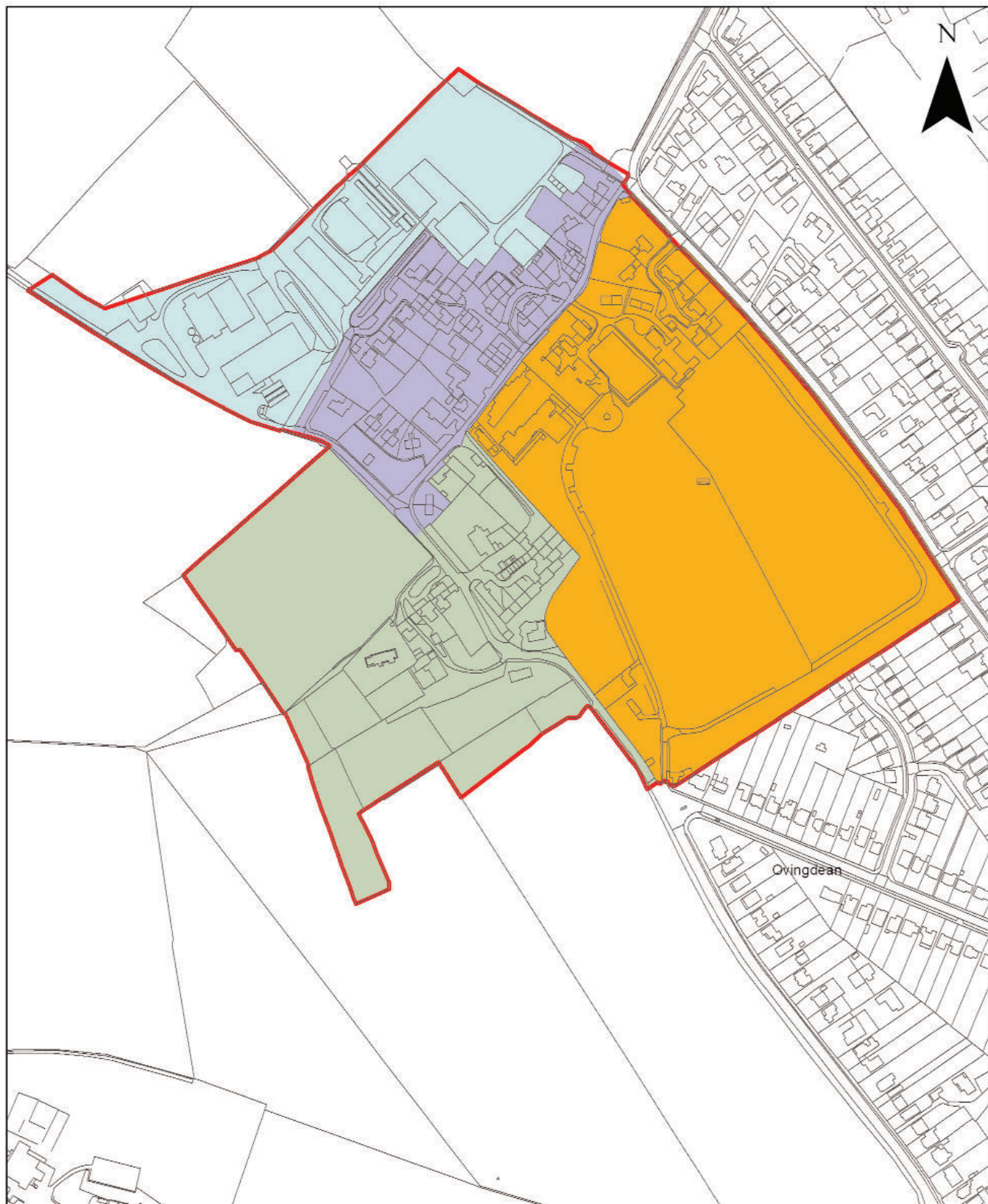
St Wulfran's Wood

St Wulfran's Wood comprises a small rectangular-shaped wood located to the immediate west of St Wulfran's Church. The majority of the surrounding landscape comprises open downland; and therefore this small area of woodland is particularly striking, and forms an important backdrop to many views of the church. Designated as a Local Wildlife Site, it mainly contains broad-leaved trees, which are an uncommon habitat in Brighton & Hove.

The Allotments

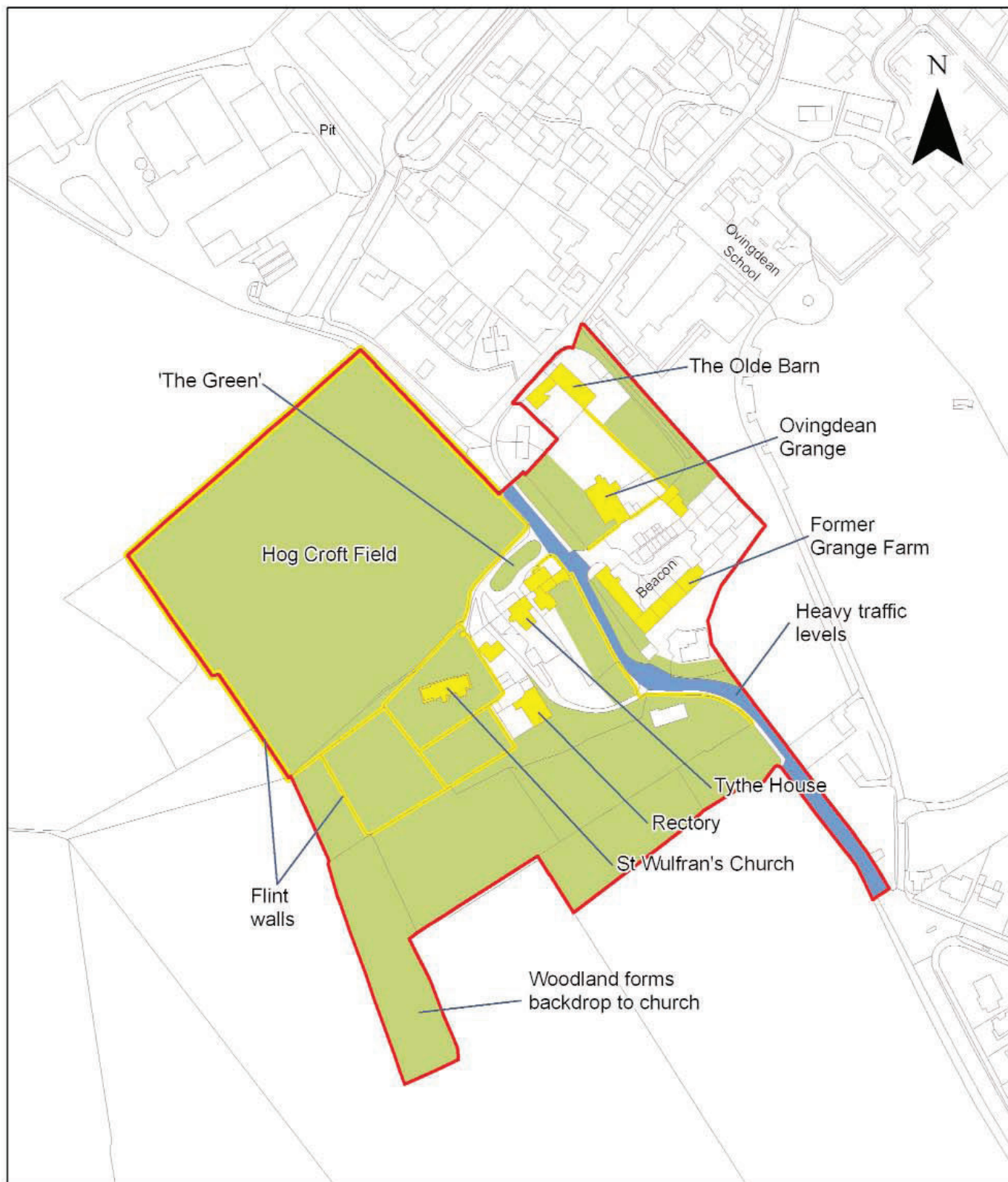
The allotments - although their current appearance is not historic - occupy a small field which is already evident on the 1890 Ordnance Survey Map. They are highly visible at the entrance to the historic village. They provide a reminder of Ovingdean's historic links with farming and food production.

Character Areas



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Church & Manor Character Area



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Important Buildings and Groups of Buildings

The Church

The Church (Figure 3) is the oldest building in the village. The earliest reference to a church at Ovingdean is in the Domesday Book, which refers to an 'ecclesiola' or 'little church'. There is a suggestion that the surviving St Wulfran's Church retains Saxon fabric; certainly it is one of only two churches in the country named after this Saxon saint. The nave and chancel date primarily to the early Norman period, whilst the low square tower is a 13th century addition, with 14th century bell chamber. Many of the internal features are the work of Charles Eamer Kempe, including the painted ceiling and five stained glass windows. It is set within its own churchyard, which contains

several notable incumbents; including Brighton inventor Magnus Volk, William Willett (inventor of British Summer Time), Helena Normanton (first female Barrister), Sophia Jex-Blake (one of the first female doctors) and the Kemp family tomb.

Set back from Greenways, it is in fact the lychgate and churchyard boundary that are most prominent in the streetscene. Nevertheless, the church's location on higher ground means that it is clearly visible from many locations in the village and its surroundings, when it is viewed in relation to St Wulfran's Wood to its west. As such, it forms a prominent landmark in the area, and is of particular community, architectural and historic significance.



Buildings flanking approach to church

'The green' is flanked by a number of individual prestigious buildings of particular architectural quality. Set at right angles to Greenways itself; both the front and rear elevations of this group have prominence and contribute to the character of the area; in particular their varied pitched tiled roofs. The buildings can be divided into two groups; those that relate to the Church and its Rectory, and those relating to the Grange Farm.

The Rectory group comprises the Rectory itself, Rectory Cottage and Rectory Lodge. Rectory Cottage and Rectory Lodge face on to the green. Of these, Rectory Cottage is the most visible; a detached cobbled house of three storeys, it was built by Rector John Marshall for his son in c.1825. Rectory Lodge is a one storey building built in 1848 as a gardener's cottage, and marking one of the Rectory's entrance drives.

The Rectory is set back from the road within its own mature, landscaped grounds, such that it has little presence in the streetscene; instead promoting a clear sense of privacy and prestige. The roadside boundary is formed by a flint wall, with mature vegetation behind. A red letter box is set in to the wall, and adds character to the streetscene. The Rectory is more prominent from the churchyard, from where the south (side) and west (rear) elevations are particularly visible. They are faced in red mathematical tiles in header and Flemish bond respectively; highlighting that the building dates to a number of construction phases. The building has a classical cobbled frontage. A listed coach house survives in association.

Associated with Grange Farm, The Granary and Manor Cottages form a cluster of buildings on the corner of Greenways and the green, and comprise workers' cottages and farm buildings. The buildings display varied clay tiled roofslopes and gable ends to the street front, which make a significant contribution to the character of the area.

Tythe Barn comprises an 18th century barn also associated with Grange Farm, probably with earlier foundations; converted to residential use over three floors in the early 20th century. It presents a flint gable end to the road. Historic photographs indicate a single hay loft entrance to each floor; these have been replaced with leaded windows when converted to a dwelling; substantially altering the character of the building. The building nevertheless retains much aesthetic appeal and historic character.

Fig 4 - Tythe Barn



Ovingdean Grange



Fig 5 - Ovingdean Grange

The numerous older ranges of Ovingdean Grange (Figure 5) are disguised behind a three storey c.1835 façade - of which the third storey is a dummy. This façade comprises an extensive remodelling of the building to update its appearance in line with modern fashions of the time. Prior to this, the main elevation - including a two storey porch - was that to the north. This alignment matched that of the original manor building on Hog Croft Field.

Set back from the road behind a formal garden, high hedge and grass verge, the building is located directly opposite the green. As such, there is a clear visual relationship between the Manor and the Church, despite the physical distance between them.

The relocation of the Manor from Hog Croft Field to the current site greatly influenced the development and resulting form of the village. The building is of archaeological interest due to the many phases of building evident behind the formal façade. It is, however, the formal façade that retains the greatest presence in the street scene.

Ovingdean Grange Farm

To the immediate south of Ovingdean Grange, numbers 1 to 10 Beacon Court and numbers 9 and 10 Grange Cottages comprise the former manorial farmyard. Numbers 9 and 10 Grange Cottages were the former stables, and were later converted to use as farmworkers' cottages. Their interest is reflected in designation as listed buildings.

Numbers 1 to 10 Beacon Court comprise a mixture of converted former barns and new build development dating from the mid-1980s (Figure 6), and retain a farmyard arrangement. The two surviving 19th century barns (now comprising numbers 6 to 10 Beacon Court) are designated as buildings of local interest. One of the two barns backs on to the road to create a relatively secluded enclosure. Of one and two storeys, the new dwellings (numbers 1 to 5 Beacon Court) are constructed from traditional vernacular materials, which are in keeping with the character of the area. Although the development retains something of its agricultural character and form, its conversion to residential has diluted this character, through the inevitable introduction of additional openings, small front gardens, purpose-built garages and a generic tarmac surface.



Fig 6 - Beacon Court

Further buildings associated with Grange Farm - The Olde Barn and The Hames - are set at the eastern end of Ovingdean Road (Figure 7). The Olde Barn is the former Shearing Barn, whilst The Hames constituted another lower barn structure. Both were separately converted to residential use during the mid to late 20th century, but have retained their traditional form and materials. The Hames fronts directly on to Ovingdean Road, whilst The Olde Barn is set at right angles. The form and roofscape of The Olde Barn are prominent in views from Greenways Corner, and act as a reminder of the agricultural history of the area.

Fig 7 - The Olde Barn and The Hames



Infill development at entrance to historic village

Aldingbourne Farm and Field End comprise two later detached dwellings. They are located at bends in the road at the entrance to the village, and are therefore prominent in the streetscene. Aldingbourne Farm is of a standard late 20th century architectural style. In contrast, Field End incorporates some more unusual features, with shiplap weatherboarding to its gables. Of no historic precedent, the buildings are of a greater scale and massing than is typical for the old village. They nevertheless retain flint boundary walls that are in keeping with the area.

Conclusion

The Church and Manor Character Area comprises the original civic heart of Ovingdean, and includes the most significant historic buildings; including St Wulfran's Church, the Rectory, Tythe Barn, Ovingdean Grange and the former Grange Farm. The buildings are generally of high architectural quality and individual design; yet they are unified through the use of a limited palette of wall materials - predominantly flint. The variety of steeply pitched clay tile and slate roofs also contributes to the character of the area. The now open space of Hog Croft Field is also of significance to the history, development and current morphology of the village.

A number of intrusive features have, however, had an impact on the character of the area:

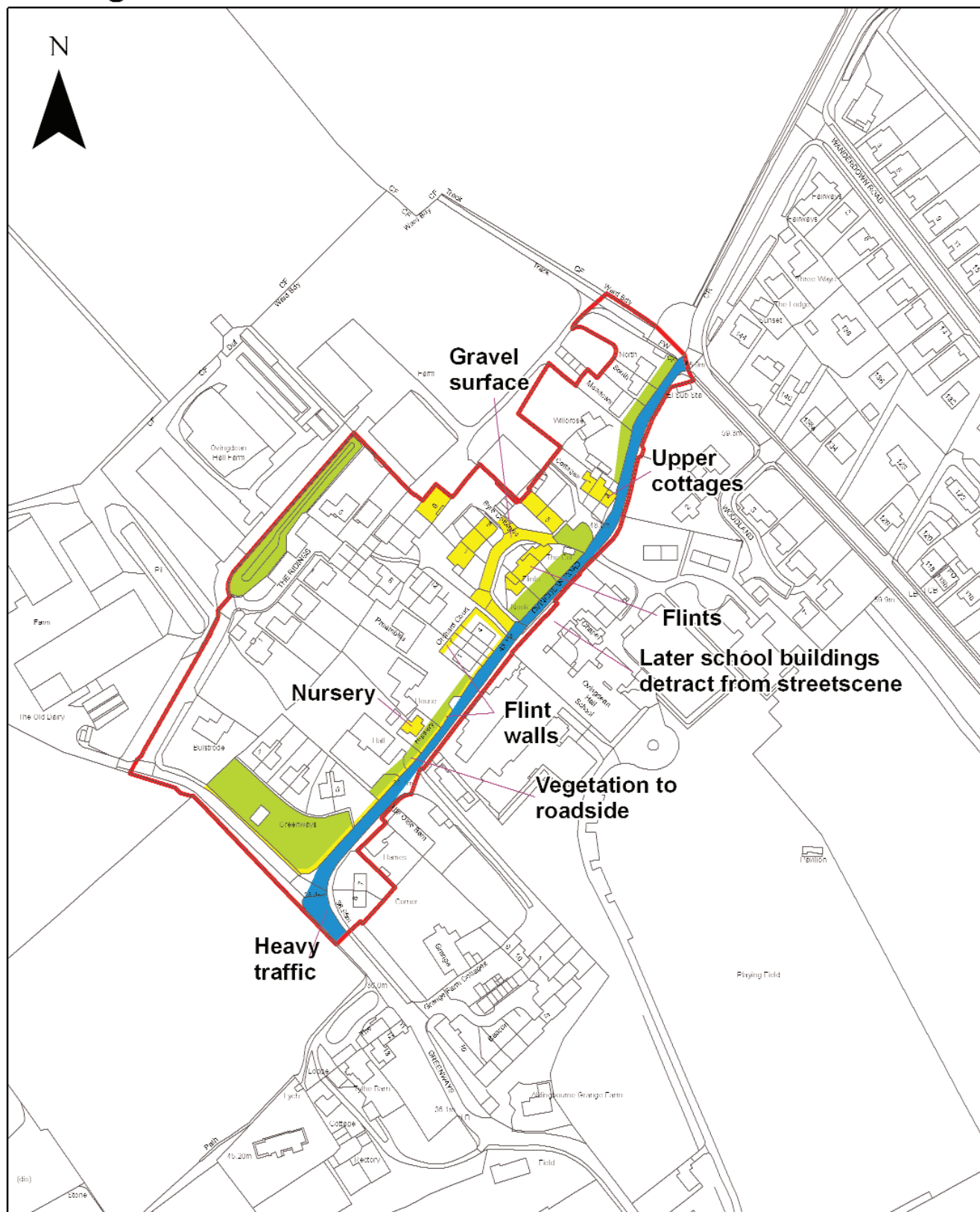
- Although the former Grange Farm retains some of its original agricultural character, in terms of its form and materials; conversion to residential use has diluted this character.
- Aldingbourne Farm - at the entrance to the village - is a disappointing addition to the village which has a neutral impact on its character.

Character Area 2: Ovingdean Road (Graphic - See page 18)

Ovingdean Road Character Area comprises vernacular cottages, converted farm buildings and modern infill development, strung out along and to the north of Ovingdean Road in a somewhat irregular arrangement. The character area developed from a second farm yard associated with the eastern estate and then with Ovingdean Hall. From the end of the 18th century it was known as Ovingdean Hall Farm and then Upper Farm, before its amalgamation with Grange Farm. This second farm complex is shown on the 1839 Tithe Map and c.1875 1st edition Ordnance Survey map; when the two yards remained as largely distinct entities.

Ovingdean Road rises steeply to the east, and forms a narrow road with few pavements and overhanging vegetation creating an intimate atmosphere. The southern side of the road is dominated by the large 20th century school buildings of Ovingdean Hall School, which are of variable architectural quality. Although these buildings are situated in Character Area 4 (Ovingdean Hall), they impact greatly on the Ovingdean Road streetscene. The location, large scale and overall design of the buildings mean that they are dominant features which detract from the intimate scale and rural appearance of the street. It is the rear elevations to the buildings that front on to the street, forming a largely inactive frontage which does not address the street.

Ovingdean Road Character Area



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Small scale buildings are located to the north, including small flint cottages, converted farm buildings and later infill development. These are generally set back from the street behind front gardens with high levels of vegetation and flint boundary walls. The walls and vegetation combine to reaffirm a clear distinction between public and private space.

Important Buildings or Groups of Buildings

Flints, The Cot and The Nook

The irregular form and plan of Flints, The Cot and The Nook reveal the piecemeal development of this terraced group over time. They are unified through flint elevations, red brick dressings and pitched clay tile roofs. Originally comprising the farmhouse or 'Bailiff's House' to Ovingdean Hall farm, Flints was constructed in 1792 and comprises a substantial two storey building. The Cot is also of two storeys but is much lower in height. All three properties were present by 1805, and likely were built between 1792 and 1795. They have, however, been extended over time. They are set behind grassed front gardens with flint boundary walls.

Upper Cottages

Upper Cottages is a short terrace of three cottages (Figure 8). The two end buildings are evident on the 1839 tithe map; the central building appears to be a later addition that is first evident on the c.1870 Ordnance Survey map. The difference in construction date is reflected in the height of the buildings; with the end cottages substantially lower than that to the centre. Extensive alteration through time means that the buildings (including particularly their roof form) now form a unified group. They retain a rendered front with flint to the roadside.

The buildings are set at right angles to the road; behind small front gardens with flint boundary walls. They face towards the former Ovingdean Hall farmyard - although they do not form part of the yard itself - and therefore likely originally formed farmworkers' cottages.

The terrace is set hard against the roadside, at a kink in the road, which strengthens its presence in the streetscape.



Fig 8 - Upper Cottages



Fig 9 - The Smithy

The Smithy

Set upon the grassed area in front of Greenways Corner Cottages, the Smithy is a small, one storey flint structure with a gabled flint roof (Figure 9). The structure is first evident on the c.1870 OS map; where it is identified as a smithy. As such, it acts as a reminder of the area prior to redevelopment in the 1930s, and would have performed an important function within this farming community. It is now used as a garage, and is in need of repair.

National School/Church Room

The current Nursery School on Ovingdean Road comprises a small flint building with brick dressings and a pitched clay tile roof. It was built in 1873 as a 'National School'. Due to dwindling pupil numbers, it closed in 1907 and was instead used as a Church Room. It opened as Ovingdean Nursery School in 1993 - returning it to educational use. Set back from the road behind a tall flint wall; its late Victorian architecture contrasts with the remainder of the village (despite matching materials); and provides an indication of developments in the village at this time.

Later developments

The Ridings, Byre Cottages and Orchard Court

The Ridings and Byre Cottages were developed in the late 20th century on the site of Ovingdean Hall farmyard and comprise converted 18th and 19th century agricultural buildings (Figure 10), as well as new buildings. Orchard Court forms a further terrace of modern buildings, located at the entrance to The Ridings and Byre Cottages. The buildings are all constructed in traditional vernacular materials, with knapped flint and brick walls with clay tile roofs. A well house survives (although the originally open sides have been boarded) to the side of number 1 Byre Cottages and adds interest to the area. Number 1 Byre Cottages originally held a carriage and 3 or 4 horses. Numbers 2 and 3 formed a granary, whilst numbers 4, 5 and 6 were barns. The addition of modern buildings partly disguises the original farmyard arrangement.



Fig 10 - Byre Cottages



Fig 11 - The Ridings

Numbers 1 to 6 The Ridings (Figure 11) in particular form large detached dwellings that are somewhat oversized in comparison to the traditional workers' cottages of the area. The use of informal road surfaces nevertheless retains something of the original rural agricultural character.

Greenways Corner Cottages

Four semi-detached pairs of farmworker's cottages (Figure 12) were built at Greenways Corner in the 1930s; in conjunction with the widening of the road. One of these semi-detached properties is set at the bend of the road itself. The other three buildings flank the approach to the farm to the north of the village. They are set back from the farm track. The buildings are each of a similar, symmetrical English Vernacular design. They are of two storeys with brick and tile hanging to the elevations. The roofs are hipped and covered in tile, with a prominent central shared chimney stack. Set at a sensitive central location, their symmetry is particularly important, as is the use of matching traditional materials to provide a uniform architectural unit.



Fig 12 - Farmworkers Cottages

A further detached residence of later date has been constructed to the north of the cottages. Although of less architectural merit, it responds to the materials and design of the cottages.

Other infill development

In addition to the larger residential schemes of The Ridings, Byre Cottages and Greenways Corner, other individual dwellings have been built along Ovingdean Road over the course of the 20th century. In general, these respect the form of the streetscape; being set back from the road behind flint walls and verdant front gardens. The dwellings are generally detached, and vary in form and style. They are generally of limited architectural quality. However, the flint walls and gardens are most prominent in the streetscene, reducing the impact of these houses on the conservation area.

Village Hall

Constructed in 1986 as a replacement to the original 1930s Village Club Room, the current Village Hall is brick-built with a pitched roof. It is of little architectural merit, but preserves the characteristic relationship between the street and buildings in this character area; being set back from the road behind a wall and vegetation. It functions as an important community hub for the village.

Important Space

Land at Greenways corner

A large grassed and gravelled area, bounded by a flint wall, is set to the immediate north of Greenways corner. The Smithy is located on this space, and Greenways Cottages front on to it. The space contributes to the rural character of the village. Combined with Hog Croft Field and The Green, it provides an open aspect to the historic village centre.

Conclusion

Ovingdean Road Character Area is characterised by small vernacular cottages, farm buildings and infill development, set along and to the north of Ovingdean Road. The conversion of traditional farm buildings to residential use has largely been executed in a sensitive manner, but it has nevertheless led to a change in character. Despite much infill development, the area remains distinctive, with the majority of buildings unified through use of traditional materials; predominantly flint and clay tile roofs. Most buildings are set back from the road, with the narrow street clearly defined through flint walls, vegetation and the dominant rear elevations to the buildings of Ovingdean Hall School.

A number of negative features nevertheless detract from the character of the area:

- The rear elevations to Ovingdean Hall School detract from the streetscene, and would benefit from improvement and a more holistic management approach.
- Ovingdean Road is subject to heavy levels of traffic relative to its size and nature. There is direct conflict between the needs of pedestrians and car users due to the lack of pavements.

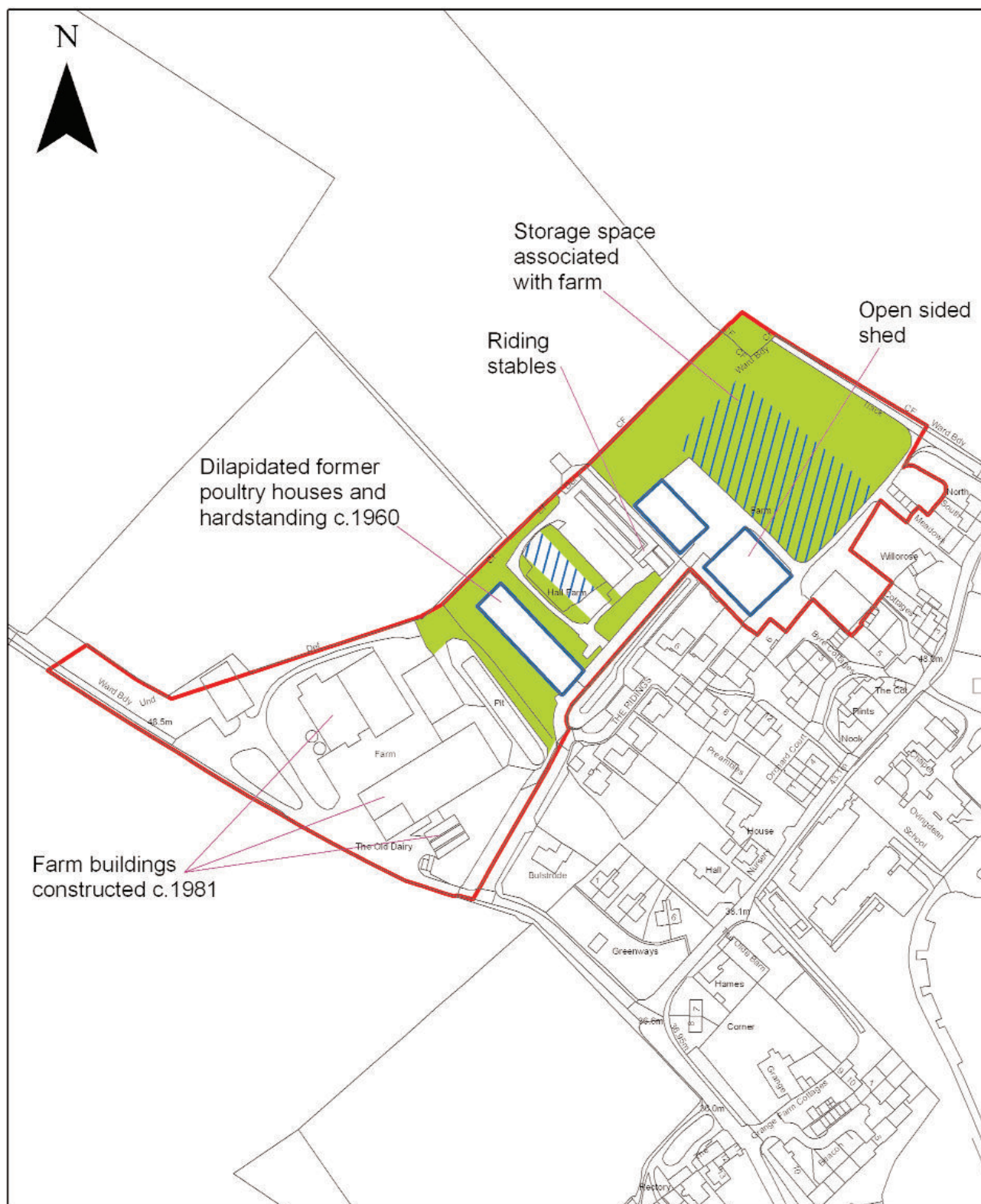
Character Area 3: The Farms (see Graphic page 22)




The area to the north and northwest of the conservation area comprises a 20th century farm and other rural enterprises. Historically, the area is shown as a series of small fields on the 1714 Grover Plan; associated with the neighbouring farm complex on Ovingdean Road. This situation persisted until the late 20th century, when a series of farms and enterprises were constructed on the site.

Although set back from the main routes through the village and therefore removed from its physical heart, the area - particularly the farm - is visible from the church and from surrounding downland. It is accessed via a lane set at the main junction in the village. It also marks the entrance to the village from the north; forming a prominent gateway feature in this direction. Although the buildings are of no architectural merit and their location has no precedent; their uses are a strong reminder of Ovingdean's agricultural past, and continued rural setting. The associated sights, sounds and smells would have always very much been a part of the character of the village.

The area can now be described as three separate groups of buildings or spaces; the relocated farm to the northwest, the former poultry farm (and now stables) to the centre, and an area of open-sided barns and storage space to the northeast.

The Farms Character Area



-  Character Area Boundary
 Positive Green Space
 Negative feature

Groups of Buildings

The Farm is located to the northwest of the area (Figure 13). It was constructed in 1981, when - due to the changing requirements of modern farming practices - Ovingdean Grange Farm was relocated from its original location on Greenways. It comprises a series of large - generally open-sided - sheds and barns which are typical of 20th century farming complexes. They indicate the changes in farming practice, with a general trend from function-specific buildings, to multi-functional buildings which take on a more generic size and shape. The continued presence of a farm in Ovingdean is an important reminder of the significance of agriculture to the origin and development of the village.



Fig 13 - The Farm

The central portion of the area comprises the stables, and the buildings of the former poultry farm (Figure 14). The poultry farm was established in c.1960, and comprised six large poultry houses. These were demolished in the 1987 hurricane, but some parts of these buildings survive in a dilapidated condition. These remains detract from the area and would merit reuse or removal. A stables has been established on part of the former poultry farm site, contributing to the rural character of the area.



Fig 14 - stables, former poultry farm

The field to the northeast of the area (Figure 15) has been cut into to provide both internal and external storage space; including the erection of open-sided sheds. This area is in a somewhat neglected state, and would benefit from improvement and maintenance. A track along its northeastern edge provides access from Ovingdean Road into the surrounding downland.



Fig 15 - field to north east

Open Space

Although there are no public open spaces within the area, the space between the buildings forms a network of spaces that contribute to the area's overall green character. The spaces are generally left in a largely 'wild' state, which - although giving a somewhat neglected appearance - provides a haven for many types of wildlife.

Conclusion

The Farms Area - forming the northern limit of the village and gateway to the Downs - contains groups of functional buildings which are largely of no architectural or historic merit. Some of those buildings remain in use as a farm and stables. These uses contribute greatly to the character of the area, and act as a strong reminder of Ovingdean's agricultural past. Other buildings - particularly those of the former poultry farm - are under-used or dilapidated, and detract from the area.

Character Area 4: Ovingdean Hall (Graphic see page 25)

Ovingdean Hall is a grade II listed building set within its own contained grounds which form its primary setting. It fronts on to a large grassed parkland, with the drive entering from the southwest. Its boundary is formed by tree belts and high flint walls. Later use as a school has led to the construction of many 20th century school buildings of little architectural interest, which back on to Ovingdean Road, whilst a small late 20th century housing development (Woodland Walk) has been constructed in the northeast corner of the grounds. The Hall orientates away from the village and the location of woodland belts mean that the Hall and its grounds retain little visual relationship with the village itself. The flint wall, entrance and lodge to Greenways are prominent features that identify the entrance to the Hall within the streetscape, and the predominance of flint in these features emphasise the historic character of the estate.

Important Buildings

Ovingdean Hall

Ovingdean Hall (Figure 16) was constructed in the late 18th century for Nathaniel Kemp. The main formal facade orientates south and is faced in yellow mathematical tiles. Of a symmetrical 6 bay design, the two central bays project forward and are housed beneath a pediment. The building retains a shallow hipped slate roof set behind a parapet.

The formal façade is the Hall's most important elevation. It fronts on to the driveway and a large open green space (former parkland; now playing field) which comprises its primary setting. Later additions to the building extend to the rear, such that they do not interfere with the symmetry of the front elevation.



Fig 16 - Ovingdean Hall



Fig 17 - The Lodge

Ovingdean Hall Lodge

The Lodge (Figure 17) at the entrance to Ovingdean Hall comprises a two storey flint building with red brick dressings and a tiled roof. It is set in the curtilage to Ovingdean Hall, and is significant due to this association. The use of traditional materials and flint boundary walls is in keeping with the character of the area.

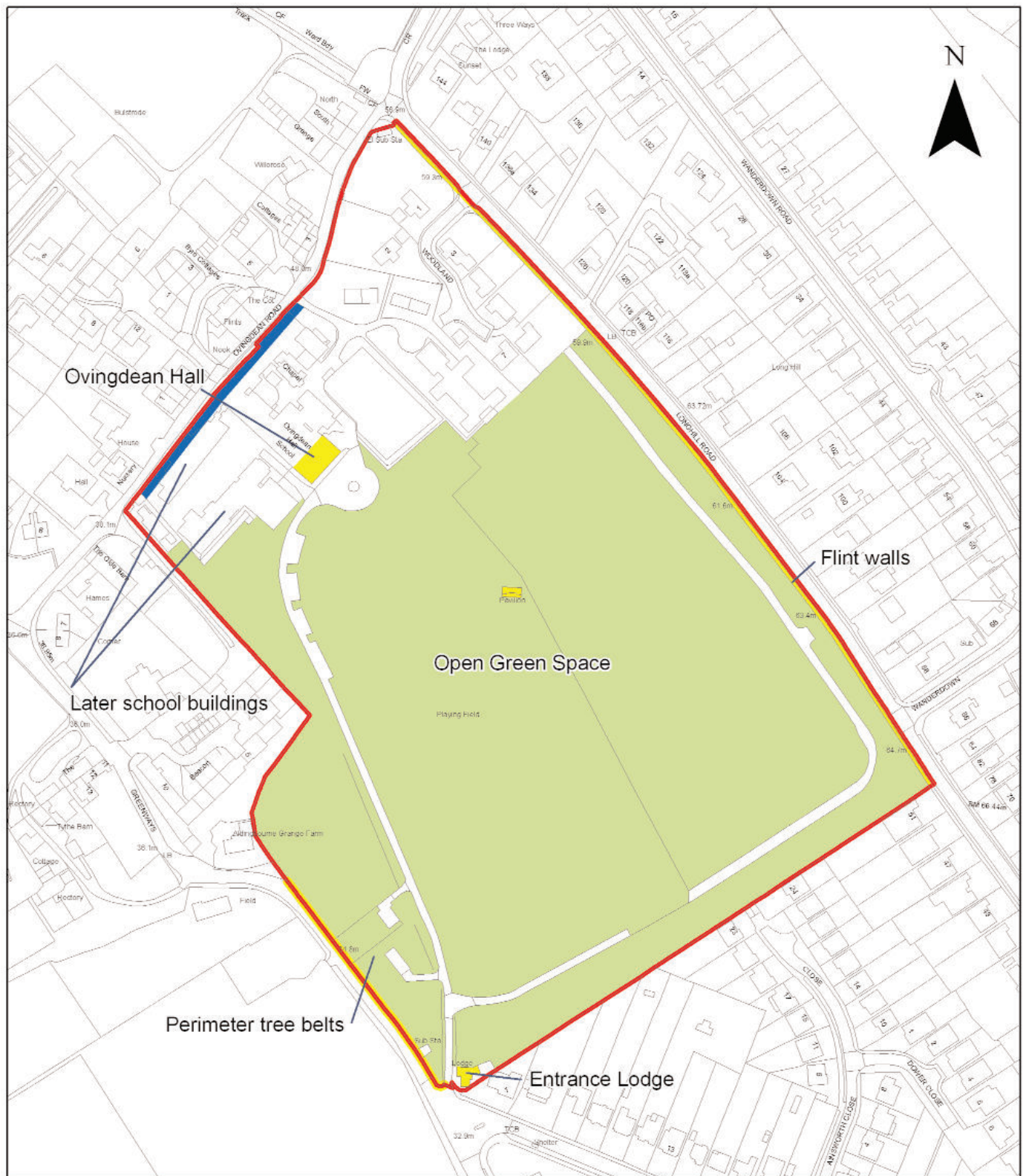
School Buildings

20th century school buildings have been built to the northeast and southwest of Ovingdean Hall. The incremental development and expansion of the site is reflected in the different styles and materials apparent in these buildings, which are generally of limited architectural merit. Nevertheless, most of

the buildings are set back from the main elevation of Ovingdean Hall, and are of a lower height, such that they appear subordinate to the main building. This limits the harm caused by these buildings on the setting of the listed Hall.

The northernmost buildings on the site back on to Ovingdean Road. Here, the buildings are up to three storeys in height, and are mostly built directly on to the streetfront or immediately behind a flint wall; without room for pavements. Their large scale and massing, and strong building line, mean that they form a dominant feature in this streetscape, which detracts from its character. Use of traditional vernacular materials such as tile hanging is nevertheless in character with the area.

Ovingdean Hall Character Area



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Woodland Walk

Woodland Walk comprises a small residential development constructed in c.1990 and located in the northeastern corner of the Ovingdean Hall estate. Accessed from Longhill Road, and comprising a short cul-de-sac of detached two to three storey dwellings, it is of an uncharacteristic form and arrangement for this rural location. The buildings are constructed in flint with red brick dressings. They retain a mixture of gabled, hipped and half-hipped roofs; the latter being more typical of agricultural rather than domestic architectural forms. Due to changes in ground level, the neighbouring school buildings are set at a lower level than this development, such that only their roofs are visible from within the cul-de-sac. The development retains a secluded character much removed from Ovingdean Hall and from the village.

The original flint boundary wall to the Ovingdean Hall estate survives to the perimeter of the cul-de-sac. The flint wall and the high levels of mature vegetation are in keeping with the character of the area as part of the historic estate.

Important Space

Ovingdean Hall Grounds

Ovingdean Hall is situated within its own c.9 hectare historic parkland estate. The Hall fronts on to a large open grassed area; with tree belts set to its perimeter. The main drive accesses the grounds from the southwest corner. This design and layout were already evident by the time of the c.1839 tithe plan, and form a generous parkland setting to the Hall. In contrast to the design shown on the tithe plan, however, the grassed area has been divided by a further tree belt, with the area to the east allowed to revert back to its natural state. Such a division is first shown on the c.1898 Ordnance Survey map, and it therefore now forms a historic landscape feature in its own right. An early 20th century cricket pavilion is set at the centre of the ground and is a positive historic feature, despite being in need of repair. The grounds are designated as a Local Wildlife Site, supporting a range of habitats including woodland, scrub and rough grassland.

The majority of later school buildings on the site are concentrated to the north of the site such that the parkland estate remains as a cohesive whole. Areas of parking along the northern section of the drive do impact on the parkland and on the setting of the main façade to Ovingdean Hall. Similarly, the tennis courts to the east of the Hall also impact on the parkland and setting of the façade.

Mature vegetation and high flint walls provide a sense of boundary and high level of privacy for the site; screening views between it and the surroundings. As such, it is these boundary treatments which are most visible in the conservation area. The tree belts were severely damaged in the 1987 storm; and have been subject to further thinning since. They would merit further strengthening.

The western boundary to the estate fronts on to Greenways, and is particularly visible when approaching Ovingdean village from the south (Figure 18). Combined with the main entrance, this stretch of tall flint wall and vegetation creates a clear visual break from the neighbouring 20th century residential development to the south and forms an entrance feature to both Ovingdean Hall and to the village. Two late 20th century houses are discernible within the tree belt. Of no architectural merit, they are partly screened from views by the tall flint wall and vegetation, but still detract from the green, undeveloped character of this space.

Along Longhill Road, the eastern boundary retains a similar tall flint wall and tree belt. Raised ground level along this boundary, combined with the vegetation, mean that there are few views into the grounds from this location. Some portions of the wall are in poor condition and would benefit from repair and maintenance. A small children's playground has been constructed in the southeast corner of the grounds.



Fig 18 - western boundary

In addition to its own intrinsic interest as an historic estate, the grounds to Ovingdean Hall form an important visual separation between the historic village and later residential development to the southeast; helping to retain its rural setting.

Conclusion

Ovingdean Hall Character Area comprises a large 18th century residence, its associated lodge and parkland setting. Located at the entrance to the village, the estate forms an important gateway feature to the historic village and safeguarding its rural sense of place. The area is predominantly green in character. Tree belts and high flint walls create a strong sense of enclosure and privacy; and a clear definition between public and private space.

A number of intrusive features are however evident, which are damaging to the special historic and architectural interest of the area, and to the setting of the listed Ovingdean Hall:

- Numerous later school buildings on the site detract from the setting of Ovingdean Hall. This impact has been reduced through setting the buildings back from the main elevation of the Hall, and through their subordinate scale and massing.
- Parked cars along the drive and the tennis courts to the east detract from the setting of the Hall
- Tree belts around the Hall have thinned during the later 20th century; reducing their effectiveness in screening views from the surroundings.
- Houses of no architectural or historic interest are located in the tree belt along Greenways, and are visible from the road. Housing in this location has no historic precedent and detracts from the sylvan and prestigious character of the Hall's grounds.

Special Interest of Ovingdean Conservation Area

Ovingdean Conservation Area comprises a downland farming village, set upon an ancient landownership divide. Due to this divide, the village contains two separate farming units; which from the 18th century formed part of the estates of Ovingdean Hall and Ovingdean Grange respectively. The Manor was originally located close to the Church on Hog Croft Field, and the old village still orientates towards this space. The Church is the most historic building - with parts dating to the 11th century or earlier - whilst Ovingdean Grange is also particularly historic. Ovingdean Hall was built in the late 18th century and represents a major change in the morphology and significance of the village. There is much later infill development in the village, which has partly blurred the boundary between the two farming nuclei, to form the historic village seen today.

Whilst the Church, Ovingdean Grange and Ovingdean Hall are the main prestigious buildings in the area, the majority of the building stock comprises more modest flint cottages, converted farm buildings and later infill developments. Later infill developments and farm building conversions have led to a dilution of the agricultural character of the conservation area since designation. Use of traditional materials - predominantly flint walls and clay tile roofs - nevertheless works to unify the character of the area.

The relationship between buildings and roads is not always direct; with many buildings instead set around former farmyards or at right angles to the street and creating an irregular village form. This emphasises the rural, agricultural antecedents of the area. A strong boundary and hard edge to the roads is created by flint walls, belts of vegetation and irregular pavements. These combine with their narrow width to create picturesque rural lanes.

Strong views to and from surrounding downland emphasise the village's rural setting, whilst the grounds of Ovingdean Hall create a visual distinction with later development to the southeast. Overall, the area retains much of its character as an isolated agricultural village.

Article 4(1) Direction

Of the historic buildings in the old village, many retain historic features such as original windows, roof coverings and boundary walls. These make a significant contribution to the character and appearance of the area. There are however examples where incremental change has had a harmful impact on the conservation area:

Poor modern windows (eg uPVC replacements) have been installed in properties including The Hames, Ovingdean Road and The Lodge, Greenways. This erodes the historic integrity and appearance of the buildings and the area.

Clay tile roofs create a characterful skyline. The sweeping roofs of some of the agricultural buildings are particularly characteristic of the area. Alien features inserted into such roofscapes, such as rooflights, solar panels, vents and flues, have an extremely harmful impact on their character and appearance. This is evident in the vents on the Olde Barn, Ovingdean Road and on the rear slopes of numbers 6 to 10 Beacon Court (as visible on Greenways). It is important to preserve and enhance existing plain roofs which form a characteristic part of the skyline.

Flint walls of varied heights are present throughout the conservation area, creating a clear distinction between public and private space that is important to the area's character. The loss of these walls would erode historic building lines and the character of the area.

An Article 4(1) Direction has been made under the Town and Country Planning (General Permitted Development) Order. This Direction removes certain permitted development rights in the area, which means that planning permission is required for changes such as those set out above. This allows control to be retained over how and where such alterations occur in order to minimise the impact this will have on the character and appearance of the area. This will help to prevent the gradual degradation of the special interest of the area as a whole.

Policy and Proposals

Flint walls make a major contribution to the special character of the conservation area and merit a programme of maintenance, repair and reinstatement, in accordance with best 'traditional' practice.

Traditional forms and materials - particularly flint walls, timber casements and pitched clay tile roofs - should be utilised in extensions and new development.

Roads in the village were not originally designed for vehicular traffic. The narrow width and lack of pavement - especially evident along Ovingdean Road - creates direct conflict between the needs of pedestrians and car users. Further growth in the amount of vehicular traffic on the roads in Ovingdean should be deterred. Any future traffic management will need to be sensitively handled and sympathetic to the historic character of the area. Resurfacing of roads and pavements should be in keeping with the area and signage should be kept to a minimum. Positive proposals should be formulated for traffic management and reduction.

Farming is important to the historic development and character of the village. Retention of a farming presence in the village is important to retaining this character. Agricultural uses of the farm buildings to the north of the village will therefore be encouraged.

The farm area to the north of the village would benefit from enhancement. Redundant modern farm structures should be brought back into use or their structure removed and reinstated as grass. The area forms the interface between the village and the National Park, and links between the village community and with the National Park would be encouraged. Any future proposed developments in this area would need to be considered in light of the character of the conservation area and setting of the National Park.

The Ovingdean Hall College site occupies a large site and has a strong presence in the area. The piecemeal addition of buildings in various designs and styles impacts on the setting of the listed Hall and on views along Ovingdean Road. The site forms a single historic estate, and should, as such, be considered as a single unit. Production of a holistic management plan is encouraged. The historic parkland should remain predominantly green. Buildings should be set back from the main frontage of Ovingdean Hall; such that it retains its primary setting. Tree belts to its boundaries form an important part of the character of the conservation area and of the setting of the listed Hall. These should be maintained and strengthened where possible. The extension of the tree belt along the drive to the immediate west of the Hall would reinstate the historic planting scheme whilst screening some of the later school buildings in views of the Hall. Improvements to the appearance and condition of the Ovingdean Road frontage would be encouraged.

Business signage and lighting in the conservation area should be in keeping with its rural, historic and now mainly residential character.

Numbers 50 and 52 Greenways (Figure 19) comprise a semi-detached pair of flint cottages. Dated 1892, they incorporate a stone crest. The pair is located outside the conservation area, but is of sufficient special interest to be considered for inclusion on the list of buildings of local interest. The Hames, The Olde Barn, The Smithy, The Church Room and 1 to 6 Byre Cottages should also be considered for inclusion on the local list.

Existing tree cover contributes positively to the character of the area. Tree cover should be maintained and strengthened where possible; except where this obscures important views to and from surrounding downland.



Fig 19 - 50 & 52 Greenways

The open spaces around the village that form part of the 'green buffer' are important in distinguishing the village from the surrounding 20th century development and highlighting its originally rural setting. These areas should remain predominantly open and green. Views between the village and the South Downs National Park should be protected and enhanced.

Where farm buildings have been converted to residential use, a farmyard setting should be promoted. The curtilage of the buildings should remain uncluttered and an open aspect retained.

Further Reading

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Ovingdean Conservation Area Boundary



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 Conservation Area Boundary

Number	Group	Content
OC2G001	ORPS	ORPS welcomes the boundary changes now proposed in the revised draft.
OC2G002	South Downs Society	1. Support the terms of the Article 4 Direction. 2. Items covered are important to that sensitive conservation process. 3. The additional controls should serve to improve the area and increase - rather than decrease - the property values in the area. 4. In any event it introduces the requirement to seek planning permission, rather than prohibition
OC2G003	Communities and Local Government	The Secretary of State has no comments to make in respect of the Direction
OC2R001	Individual	1. Pleased to hear that the proposed removal of the boundary area has been revised so that the CA boundary will adjoin the SDNP, and including the allotment site. Fully approve the revised proposal. 2. Note the approval of the Article 4 (1) Direction.
OC2R002	Individual	1. Very strongly support and welcome the suggestion for the boundaries of the Ovingdean CA to match and align with those of the National Park
OC2R003	Individual	1. The modern Bulstrode Farmyard and the Ridings are far too recent to conserve. They are not historical or aesthetic which I think of as the main purposes of Conservation Areas. 2. I feel the Ovingdean Conservation Area should be based on St Wulfran's Church, Hog Croft, Ovingdean Grange, Ovingdean Hall and the pre-1911 residences and farmyards connected with them. 3. Reduction of the conservation area should however only be undertaken if the South Downs National Park can be extended to abut the conservation area. 2nd Comment: 1. Bulstrode Farm is set outside the North Gate, which was the ancient northern entrance for carts, horseriders and people into Ovingdean Village.
OC2R004	Individual	1. Seems fine to me. 2. Clearly responds to the views of the local inhabitants
OC2R005	Individual	1. Delighted to hear boundary proposed to be extended to meet NP. 2. Not had time to read papers in any detail, but trust comments on earlier draft have been taken on board. 3. Note what said in covering email on traffic issues. I will be returning to this point with councillors as it is time action was taken to have a sensible package of traffic calming and traffic reduction measures. Appreciate that this is not primarily a point for the CA document but it is nonetheless a very significant factor and cannot be ignored
OC2R006	Individual	1. Generally welcome and support the findings in items 'Article 4', 'Traffic', 'Boundary' and 'Revised Character Statement'. 2. p2 Map shows proposed not the existing. 3. V2 on p9 does not match the photo and only partially matches the description. Photo does not show Hogs Croft Field. Perhaps 2 photos are needed - earlier photo across Hogs Croft Field and new photo from in front of The Grange. Both are important views. 4. Several references made to construction material/type of building and therefore captures the essential essence of roofscape. 5. Ironical that the proposed developments at the school will change this feature forever.

Document is Restricted

