

**BRIGHTON & HOVE CITY COUNCIL**  
**ECONOMIC DEVELOPMENT & CULTURE COMMITTEE**

**4.00pm 17 NOVEMBER 2016**

**COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ**

**MINUTES**

**Present:** Councillor Cattell (Chair), Councillor Nemeth (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Greenbaum, Morris, O'Quinn, Peltzer Dunn and C Theobald

**PART ONE**

**25 PROCEDURAL BUSINESS**

**(a) Declarations of Substitutes**

25.1 Councillor Yates was present in substitution for Councillor Robins.

**(b) Declarations of Interest**

25.2 There were no declarations of interests in matters listed on the agenda.

**(c) Exclusion of Press and Public**

25.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

25.4 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the items contained in Part Two of the agenda.

**26 MINUTES**

26.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 22 September 2016 as a correct record.

**27 CHAIR'S COMMUNICATIONS**

27.1 The Chair (Cllr. Cattell) agreed to circulate the following communications as part of the minutes on behalf of the Chair (Cllr. Robins) in his absence:

**VisitBrighton Convention Bureau update**

Converted Bookings:

Of the 116 conference enquiries handled by VisitBrighton, a total of 46 bookings have already been confirmed. Bookings converted in 2016 in Q1 & Q2 will bring £37m of economic benefit on their arrival into the City in subsequent years.

Key conferences that the VB Conference Sales team have converted in 2016 include:

<b>Conference</b>	<b>Arrival</b>	<b>No. of delegates</b>
PCS Annual Conference	May 2017	1000
Association of Applied Sciences International Conference	January 2018	200
GMB Annual Conference	June 2018 & 2019	3000
Lib Dem Annual Conference	September 2018	8000

Confirmed Events:

Conferences which took place between April – Sept 2016 delivered commission worth £78,875.00 to VisitBrighton.

Sales Activity:

The VB Conference Sales team has carried out and planned a range of sales events both in the UK and overseas for 2016. These include:

- UK Meetings Show 2016
- Ambassador Networking Events (x2)
- Brighton Unconventional City-Wide Familiarisation Trip 2016
- Brighton Business Expo

Site Visits:

The VB Conference Sales team has hosted 23 individual site visits to the city for potential conference organisers.

### **VisitBrighton Marketing update**

VisitBrighton hosted 23 journalists from the UK & Overseas with titles including BBC Good Food; National Geographic; Olive Magazine; Daily Express; The Independent and Air New Zealand.

AVE (advertising value equivalent) for the period was a whopping £4,252,920 and included coverage in The Telegraph, Olive Magazine, a double paged spread in Woman's Own and 4 page feature in Germany's Couch magazine.

Press Visits

VisitBrighton Marketing has hosted 46 travel media representatives in the city in this period. This comprises of 11 UK journalists and 35 international journalists including representatives from Germany, Austria, USA and Japan.

Press Releases & Media Briefings

5 UK media briefings and 3 Germany media briefings have been issued. These have covered topics including Major City events, the British Airways i360 launch and seasonal round ups.

4 individual press releases have been issued including subjects covering Summer Dog Friendly Brighton and School Holidays in Brighton.

## **Royal Pavilion & Museums**

### **Repatriation of Australian Aboriginal Ancestral Remains**

On behalf of BHCC, Janita Bagshawe (Head of Royal Pavilion & Museums) and I attended a Handover Ceremony at Australia House in London to mark a transfer of stewardship of Australian Aboriginal ancestral remains that were formerly in the collections of the Royal Pavilion & Museums to representatives from the Advisory Committee for Indigenous Repatriation and the Ngarrindjeri Community from South Australia.

### **SHOWCASE conference**

I attended the South East Museum Development Programme's 'Showcase' Conference at Brooklands Museum in Surrey. The conference showcased work, projects and learning from the programme of improvement in the region's museums that is supported by the South East Museum Development programme. The South East Museum Development programme is funded by Arts Council England and is managed by a consortium of partner organisations including the Royal Pavilion & Museums (the lead partner), the Hampshire Cultural Trust, the Oxfordshire County Museums Service, and Chatham Historic Dockyard Trust.

### Sussex Sports Awards

The annual Sussex Sports Awards take place on Friday 25<sup>th</sup> November and once again the city is well represented with nominations across the range of awards. These include David Bowden (Brighton & Hove Cricket Development Group) for the "Outstanding Contribution to Sport" award, Withdean Youth FC for "Club of the Year" and Brighton Table Tennis Club for the "Community Impact Award". All of these and other nominees reflect the huge contribution that volunteers make to providing sporting opportunities in the city.

### Update on Permanent Ice Rink

The soft market testing for a permanent ice rink in the city closed on the 14<sup>th</sup> November and has received a low response although advertised nationally. Initial enquiries have principally been received from sport centre operators or equipment suppliers who have then not expressed further interest. However, three property development companies who have expressed an interest in the exercise have been invited to meet with the council. The intention of the meetings would be to see if there is a feasible project to try and provide an ice rink in the city.

### Official opening of the BAi360

We had a great turn out on the seafront and some superb coverage for the city in the national press after the BAi360 hosted a visit from His Royal Highness the Duke of

Edinburgh for their official opening at the end of October. The visit was incredibly well received locally and nationally, with some positive stories and excellent coverage in papers such as the Telegraph, The Independent, Times Online, and Daily Mail as well as local news coverage on BBC south east and ITV.

27.1 The Committee also extended its best wishes to the Chair (Cllr. Robins) as he was currently recovering.

## 28 CALL OVER

28.1 The following items were reserved for discussion:

Item 31 - Royal Pavilion & Museums - Fees & Charges

Item 33 - Residential Letting Boards

Item 35 - Outdoor Events – Madeira Drive Road Closures 2017

Item 36 - Outdoor Events in Parks and Open Spaces 2017

28.2 The Democratic Services Manager confirmed that the following items had not been called and would therefore be agreed as per the recommendations set out in the report:

Item 32 - Revised Draft Shoreham Harbour Joint Area Action Plan

Item 34 - Brighton Digital Catapult Centre Project

## 29 PUBLIC INVOLVEMENT

### a) Petitions

29.1 The Chair noted that the petition in relation to 'HMOs in Elm Grove Area' had been withdrawn.

29.2 The Chair noted there was one petition referred from Council on 20 October 2016 in relation to 'Family Homes Not HMOs'. It was noted that the report contained additional recommendations for the Committee to consider; however, the Chair formally proposed an amendment to give consideration to the additional recommendations by means of an Officer report to a future meeting of the Committee.

29.3 Councillor Yates formally seconded the amendment and explained that the Officer report would allow the Committee to give full consideration the options; the recommendations from Council were not being amended; instead it was proposed that they form the basis of the Officer report.

29.3 Councillor C. Theobald noted that she had spoken on the matter at Council, and she welcomed the proposal for a full Officer report on the matter.

29.4 The Chair moved to the vote.

29.5 **RESOLVED:** That the Committee requests an Officer report be brought to a future meeting specifically to consider the matters raised at full Council, namely that:

- 1) The City Plan Part One be reviewed to increase the area of restriction from 50 metres to 150 metres where applications for conversion to HMOs will be rejected if more than 5% of current dwellings are already HMOs;
- 2) Consideration be given to the extension of the current Article 4 Direction area and options to further extend the licensing of private rented housing; and
- 3) Consideration be given as to whether to better align the Planning and Licensing functions in relation to HMOs and learn from other university towns as to more effective management of student HMOs and to request a report on this matter to its next meeting.

**b) Public Questions**

29.6 The Chair noted that there were five public questions listed on the agenda.

**Planning Policy and the Scheme of Delegation**

- 29.7 Lynne Moss asked, 'In relation to planning policy and the scheme of delegation, is it the responsibility of the Economic Development & Culture Committee or the Planning Committee or jointly to determine whether an existing Local Development Plan policy may be negated and explain the reason for the decision?'
- 29.8 The Chair replied. 'Planning Committee as this would be part of the process of determining planning applications.'
- 29.9 By way of a supplementary question Lynne Moss asked, 'Has either the EDC or planning committee delegated the authority to decide whether a policy may be negated to any B&HCC officer? If so, when and where was this recorded and in relation to pre application discussions with applicants, are officers authorised to agree with applicants to amendments to documentation requirements where those documentation requirements are presented in a Local Development Plan policy?'
- 29.10 The Chair agreed to provide a written response after the meeting, which would be circulated in the minutes, as set out below:

'The purpose of planning policies is that they are material planning considerations in the determination of planning applications. As part of that determination process weight will be attributed to relevant policies. Weight will depend on a variety of factors, for example a local policy may be given limited weight because it no longer accords with national policy whereas an up to date policy that accords with national policy may be given significant weight. As is common practice elsewhere, planning applications made to this authority will be determined either by the Council's Planning Committee or by officers acting under delegated powers. The Council's Constitution (Part 6.3 Part B Section IV – Delegations to Executive Director Economy, Environment and Culture – paragraph 15. and Schedule 4) sets out the circumstances whereby applications may be determined by an officer.

Pre –application discussions present an opportunity for developers to seek officers' advice on development proposals. It is made clear to developers seeking such

discussions that any advice given will not bind the authority should an application be submitted. It is almost inevitable that advice given at pre- application discussions will include officer advice on policy. Such advice may inform amendments to proposed schemes and the matter of weight will apply, as mentioned above.'

### **Planning Policy and Air Pollution in Rottingdean High Street**

- 29.11 Nigel Smith asked, 'Have the Economic Development & Culture Committee in terms of policy and the Planning Committee in terms of application of policy determined what level of increase in air pollution is acceptable for Rottingdean High Street relating to additional traffic generated by B&HCC planning applications and any cross border developments which might impact? Any such levels of increase need to be assessed on both an individual application, a cumulative impact and a time phased (impact over a 12 month period. This is only going to be effective where post "application approval" changes are monitored. If not, can the related committees provide a timeframe within which such guidance will be available?'
- 29.12 The Chair replied. 'No. Each planning application will be considered on its merits. You can be assured that Environmental Health officers are consulted on planning applications and use industry guidance on determining impacts of development on air quality when assessing development proposals.'
- 29.13 By way of a supplementary question Nigel Smith asked, 'What does EDC and more broadly B&HCC understand cumulative impact to mean, and what considerations do they believe should be taken into account and to what degree with regard to a major planning application, and do you believe this places any legally enforceable restrictions on B&HCC when advising on and determining planning applications?'
- 29.14 The Chair agreed to provide a written response after the meeting, which would be circulated in the minutes, as set out below:

'The Council is not aware of any legal definition of "cumulative impact" , nor is it defined in the National Planning Policy Framework where it is cited in a number of policies. In the context of development falling under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the selection criteria for screening one of the criteria is "the cumulation with other development" and it is noted that there is European Guidance on this as meaning "impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project". So in these contexts, ie EIA development and development falling to be considered under certain NPPF policies, cumulative impacts are clearly relevant and will be considered in the determination of such planning applications accordingly.'

### **Planning Policy and Pre-Application Advice**

- 29.15 Sean Flanagan asked, 'If an officer in planning pre application discussions agreed an approach (in writing or otherwise) to an application with an applicant which is contrary to a policy as expressed in the Local Development Plan – in this case City Plan 1, is this agreement binding on the council in the persona of the relevant Sub-Committee?'
- 29.16 The Chair replied. 'No.'

29.17 By way of a supplementary question Sean Flanagan asked, 'Is there any review function (of possibly inappropriate actions by an officer) available to the council, its members and/or the public or has this been delegated in its entirety to the Chief Executive?'

29.18 The Chair agreed to provide a written response after the meeting, which would be circulated in the minutes, as set out below:

'The appropriate review would depend on the nature of the alleged inappropriate action so could encompass, for example, action by the Council's Human Resources Department, pursuance by a member of the public of a Corporate Complaints (which could lead to investigation by the Local Government Ombudsman) or even challenge by way of judicial review.'

### **Digitisation of the Newspapers, County Archivist**

29.19 The Chair noted that Tim Carder had not attended to ask his question.

29.20 The Chair noted there were no further items listed under 'Public Involvement'.

## **30 MEMBER INVOLVEMENT**

30.1 The Chair noted there were seven written questions listed on the agenda.

### **Planning Application Deadlines**

30.2 Councillor Nemeth asked: "Will the Chair provide comparative figures for the past two years (broken down by month) on (a) the length of time that it has taken to validate planning applications following arrival of application form (whether form is considered 'valid' or otherwise); (b) the number of applications where an applicant has been asked to grant a time extension; and (c) how (a) and (b) compare with national averages?"

30.3 The Chair provided the following table, and noted that whilst the question had asked for national averages, this type of benchmarking was not undertaken, and as such, not available.

## Receipt to Validation

## Extension of Time Agreements

Month	Average No. of Days from Received to Valid (includes non-working days)	No. Apps Received	Month	No. Applications Determined	No. Determined applications with Agreed Extension of Time	% of Determined Applications with Agreed Extension of Time
Oct-14	12.56	313	Oct-14	251	1	0.4
Nov-14	9.97	292	Nov-14	216	1	0.5
Dec-14	8.28	301	Dec-14	251	4	1.6
Jan-15	10.38	260	Jan-15	290	3	1.03
Feb-15	7.86	286	Feb-15	217	3	1.4
Mar-15	10.36	337	Mar-15	258	3	1.2
Apr-15	15.02	340	Apr-15	279	4	1.4
May-15	13.44	316	May-15	251	2	0.8
Jun-15	15.21	381	Jun-15	316	3	1.8
Jul-15	10.91	368	Jul-15	325	6	1.8
Aug-15	10.96	319	Aug-15	302	2	0.7
Sep-15	14.6	287	Sep-15	322	1	0.3
Oct-15	11.6	332	Oct-15	379	1	0.3
Nov-15	10.63	307	Nov-15	317	11	3.5
Dec-15	8.28	289	Dec-15	198	22	11.1
Jan-16	17.2	278	Jan-16	375	116	30.9
Feb-16	14.17	356	Feb-16	324	61	18.8
Mar-16	12.97	335	Mar-16	289	55	19.0
Apr-16	10.88	347	Apr-16	418	148	35.4
May-16	9.63	363	May-16	300	118	39.3
Jun-16	11.8	388	Jun-16	297	98	33.0
Jul-16	10.67	369	Jul-16	273	97	35.5
Aug-16	11.02	338	Aug-16	361	113	31.3
Sep-16	15.53	292	Sep-16	388	180	46.4
Oct-16	10.6	349	Oct-16	184	64	34.8

\* please note these figures do not take into account the number of applications which were made invalid

- 30.4 By way of supplementary Councillor Nemeth asked for an explanation of the increase from 2.75% to 85% of instances where the applicant had been asked to grant a time extension.
- 30.5 The Chair deferred to Officers, and it was explained that from December 2015 the service had much better use of the facility to seek agreements to extensions of time; this had been a significant factor in improving performance.

### Plastic Windows

- 30.6 Councillor Nemeth asked: "Will the Chair will make a statement on the proliferation of plastic windows on the sides and rears of historic buildings in our Conservation Areas?"



- 30.7 The Chair provided the following written response: “Most conservation areas in the city are covered by Article 4 Directions which restrict permitted development rights to alter windows – but this is largely restricted to front elevations only. The reason for this is that removing permitted development rights has to be justified and that harmful alterations to the front elevation have a greater impact on the character of a conservation area. As a consequence installation of plastic windows on the side and rear of houses in conservation areas does not need planning permission. New windows on front elevations are expected to use matching materials.

There are some Article 4 Directions in Hove which *do* control changes to the side and rear elevations - as they are more visible from the street – so planning guidance can be applied. However, the guidance allows uPVC windows on side and rear elevations - as long as the windows match the originals in style, opening method, proportions and external details.”

- 30.8 By way of a supplementary Councillor Nemeth stated his view that there was an increased number of plastic on the sides of buildings, and asked for a further explanation on the reasons for this trend and any enforcement problems that were being encountered.
- 30.9 The Chair agreed that Officers would contact Councillor Nemeth after the meeting to respond to his queries.

### **i360**

- 30.10 Councillor C. Theobald asked: “Will the Chair detail what public realm improvements are planned for the Regency Square area from allocated funds from the i360?”
- 30.11 The Chair provided the following written response: “As part of its s106 obligations the BAI360 will be providing a 1% Ticket Revenue Contribution to be paid to the council for environmental improvement works in a defined West Pier Area including Regency Square. The first payment will be due September 2018.

To assist the council and the Regency Square Area in developing appropriate long term improvements for Regency Square which can make the best use of a proportion of the BAI360 ticket revenue, the council’s Communities Team has convened a Regency Square Community Stakeholder Group, which includes representatives from the Regency Square Area Society, the West Pier Trust and the BAI360. The purpose of this group is to work with the council and with community, commercial and residential stakeholders to develop a future masterplan for the square. The masterplan will guide investment both in terms of the BAI360 ticket revenue that might be required, but also will look at the opportunities to lever in further investment for improvements. The Stakeholder Group is currently developing a landscape architects brief which will be circulated for comment in early 2017. This work is also based upon a public consultation undertaken by the Regency Square Area Society in early 2016.”

- 30.12 By way of supplementary Councillor C. Theobald asked if the Council take the final decision on how the money would be spent, and how much public consultation there would be.

30.13 The Chair deferred to Officers, and it was explained that the stakeholder group included the local community; the group would also be encourage to consult as widely as possible. The first payment was due in September 2018; however, this would not stop the Council working to agree how the funds could be spent; work would be also be undertaken with the Regency Square community group to see what could be done in advance of September 2018.

### **Small Business Saturday**

30.14 Councillor Peltzer Dunn asked: "Will the Chair detail what discussions he has held prior to the submission of this question regarding Small Business Saturday that is due to take place on 3rd December?"

30.15 The Chair provided the following written response: "This is the 3<sup>rd</sup> year that the Economic Development team have led on the delivery of Small Business Saturday for Brighton & Hove City Council.

In **SBS 2015** the focus was two pronged.

- To work with local business support stakeholders and provide business support workshops for business. These workshops took place on the SBS bus, which arrived in Brighton, two weeks prior to SBS. The take up for these workshops was limited despite the buy in from independent support services to work with local businesses. SBS falls on the third Saturday prior to Christmas. It is not the ideal time to provide support for retail businesses as it is the busiest time of year for them however in 2015 we worked with Brighton & Hove buses and Goodmoney to promote the use of Goodmoney Vouchers as a way of keeping money in the local economy.
- To encourage shoppers, residents and visitors, to support local independent traders on Small Business Saturday.

### **SBS 2016** focus:

In response to feedback from the business community it has been decided that the focus this year will be support the wider business community as well as retailers.

Feedback from local business support stakeholders has also been that it would be beneficial if the impact of Small Business Saturday could be spread over a longer time period. It is therefore proposed that a yearlong monthly newspaper column is established to showcase business support activities across the city. The *Small Business Saturday* initiative will be used to launch this initiative.

The feedback from the 2015 Small Business Saturday activities and the ongoing business support enquiries the Economic Development team and other city stakeholders receive indicate, that Brighton & Hove small businesses would benefit from the promotion of all the business support programmes, tools, spaces, platforms, that exist in the city.

Raising awareness through a column would have a long term benefit to small businesses and build intelligence within the business sector of the different types of business support that is available to them.

This approach to Small Business Saturday will have the following benefits: -

- It responds to the feedback received from retailers that the first week in December is not the most effective time to try to increase footfall as it is already a busy period for retail
- It provides information to local businesses about business support services
- It provides a profile for the local business support providers and assist them in reaching their target market

It demonstrates the ongoing commitment of the council to supporting local businesses”

30.16 By way of supplementary Councillor Peltzer Dunn asked how the Chair alter the response to the 2016 event as compared to the 2014 and 2015 events in terms of how successful it had been.

30.17 The Chair agreed that Officers would contact Councillor Peltzer Dunn after the meeting to respond to his queries.

### **Protection of Pubs**

30.18 Councillor Peltzer Dunn asked: “Given the strong negative feelings of both the public and Councillors over the recent closure of the Dyke Road Tavern, what changes in planning policy and procedure does the Chair feel will mitigate the chance of a similar incident taking place, and what is his own position on what should happen next with regard to this specific incident?”

30.19 The Chair provided the following written response: “I am advised by officers that the Dyke Tavern changed use from pub to shop under a new permitted development right introduced by the Government in 2015. This allows pubs to change use to shops without needing planning permission if they are not listed or nominated as an Asset of Community Value.

The conditions of this permitted development right require a developer to send a written request to the local planning authority on whether the building has been nominated as an asset of community value (ACV). The Local Planning Authority must then notify them of a nomination - if none are received within 56 days of the request the change of use can be made. In the case of the Dyke Road Tavern this requirement was met and the use of the pub changed to a shop.

I am advised that, in response to concerns about this new permitted development right, officers will be updating the city council’s website to make residents more aware of the new permitted development right and to provide more information for community groups on how to nominate a local pub as an Assets of Community Value.”

30.20 By way of supplementary Councillor Peltzer Dunn asked if there could be more publicity in relation to the closure of pubs to assist residents and other community groups that might wish to take on such venues.

30.21 The Chair deferred to Officers, and it was explained that as no planning application had been made; were the Council to publicise this, then they would be acting beyond its powers and subject to legal challenge.

### **Planning Involvement**

30.22 Councillor Nemeth asked: "Will the Chair detail what changes he wishes to see that will increase the role of both Councillors and members of the public in the planning process?"

30.23 The Chair provided the following written response: "The planning process is already underpinned by public involvement and engagement in the planning process and associated legislation at a national level.

At a local level this Council is heavily involved in engaging business, community and voluntary groups in the planning process and I will ensure that this remains. Organisations such as the Conservation Advisory Group play a very special role in engaging the community in planning decisions and in improving the quality of decision-making.

Plainly the last twelve months have focused on recovering development management performance. The situation is now stable and performing well. With these changes and the recent introduction of the Uniform system the Service will be embarking on a service redesign process in January 2017. Key ambitions for that redesign will include:

- An enhanced series of updates for members during the processing of applications in their wards
- An improved engagement with applicants and agents during the determination of planning applications
- A modernisation of the website to enable members of the public to have improved access to planning application information"

30.24 By way of supplementary Councillor Nemeth made remarks in relation to: the accessibility of Planning Officers; the role of CAG; advertisement of applications, and the weekly list of applications, and asked this represented steps to diminish the role of Members and Officers in the planning process.

30.25 The Chair deferred to Officers, and it was explained that the Council had a statement of community involvement that had been agreed by Members; it was also noted that Members were being updated regularly on the progress of the Planning Department, and it was envisaged that FAQs would be drafted to assist the public.

### **Parking**

30.26 Councillor C. Theobald asked: "What representations did the Chair make to Administration colleagues on the subject of Christmas parking in Brighton & Hove in support of our local businesses?"

- 30.27 The Chair provided the following written response: “The Labour Group discussed the Notice of Motion at our meeting prior to Council. All those present agreed not to support it.”
- 30.28 By way of supplementary Councillor C. Theobald asked if it was the role of the Chair of the Committee to champion small businesses in the city.
- 30.29 The Chair replied that the discussion had related specifically to the Notice of Motion for Full Council.

### **Estate Agent’s Boards**

- 30.30 Councillor Nemeth asked: “Will the Chair detail how many minutes that it takes to send out an enforcement letter following receipt of a report of an illegal estate agent’s board; how many complaints were received in the past year; and how much the fine is for a single board?”
- 30.31 The Chair provided the following written response: “Enforcement action against unauthorised estate agent’s boards is undertaken by prosecution in the magistrate’s court, rather than by the service of an enforcement notice. Whilst an acknowledgement email is sent out immediately to a complainant when reported via the Council’s website, it is not possible to quantify the time required to bring a prosecution to court as this depends on a number of factors including the time taken for officers to investigate and identify the breach of the Advertisement Regulations, as well as the court’s timescales.

Over the past year to the end of October 2016, 5 new enforcement complaints were received about estate agent’s boards.

Following a successful prosecution, the maximum fine for the display of an unauthorised advertisement is set at up to £2500 plus £250 per day thereafter. However, such a fine is usually between £500 and £1000.”

- 30.32 By way of supplementary Nemeth stated he did not believe he had received a full response to his question.
- 30.33 The Chair deferred to Officers, and it was explained that, were such a system in place, it might take approximately 5-6 hours; however, the difficulty was in securing such a system.

### **31 ROYAL PAVILION & MUSEUMS - FEES & CHARGES**

- 31.1 The Committee considered a report of the Executive Director for Economy, Environment & Culture in relation to Royal Pavilion & Museums - Fees & Charges. The purpose of the report was to set out the proposed fees and charges for the Royal Pavilion & Museums services for 2017/18 and where appropriate for 2018/19.
- 31.2 In response to Councillor Nemeth it was explained that most of the free museums were national and received direct government funding; the Royal Pavilion had been charging

for admission since the 1970s. The spend was approximately £1.34 and 56p in the Royal Pavilion and Brighton Museum Gift shops respectively.

- 31.3 In response to Councillor Allen it was explained that Brighton Museum had been charging since 2015; comparable other museums in the region were still free; however, many of these were also considering introducing charges. It was acknowledged that the recent weakness of the pound and the relative strength of the dollar could be beneficial, and it was anticipated that the income performance of Brighton Museum would be better next financial year. In relation to the museum café it was explained that it had not been possible to award the contract following the tender process, and other options were currently being considered.
- 31.4 In response to Councillor C. Theobald it was explained that a 50% drop in visitor numbers had been envisaged when the charging for Brighton Museum was introduced, and this had largely been the case. In the relation to joint tickets a 'history pass' was available that was valued for two days with access to the Pavilion, Brighton Museum and Preston Manor.
- 31.5 In response to Councillor Peltzer Dunn it was explained that school parties visiting the museums and the Pavilion were still free and this included academies. It was also clarified that bookings were received for all the charging categories offered and none were redundant.
- 31.6 In response to Councillor Nemeth the following responses were given. The Pavilion operated at capacity in July/August; however, there was some capacity in the winter and there had been an initiative this year to drive footfall in the quieter months. As a general rule when venues charged for entry the amount given in donations was lower. A joint ticket with the Sea Life Centre was offered, and representatives from Brighton Pavilion & Museums would be attending travel shows with representatives from the i360 to seek to increase visitor numbers.
- 31.7 In response to Councillor Morris the following responses were given. Improvements had been made to the range at the Pavilion Gift shop including bespoke items. In relation to benchmarking for corporate hire it was explained that this was done against other venues in the city and region that were comparable.
- 31.8 In response to Councillor Druitt it was explained that there was a general trend in the industry to move away from concessionary fares and simply have rates for adult and child; however, an advantageous family ticket was offered.
- 31.9 Councillor Allen stated his view that the offer at Brighton Museum could be confusing for visitors, and he felt a lower admission price could attract more visitors. He agreed that that the café needed a long term solution.
- 31.10 Councillor C. Theobald welcomed the Christmas theme at the Pavilion this year, but also noted her disappointment at the reduced number of visitors at Brighton Museum.
- 31.11 The Chair then put the recommendation to the vote. These were **carried** with 7 in support and 3 against.

31.12 The Chair put the recommendations to the vote.

**31.13 RESOLVED:**

- i) That the Committee approve the fees and charges for Admissions for 2017/18 & 2018/19 in Appendix A.
- ii) That the Committee approve the fees and charges for Room Hire for 2017/18 in Appendix B.
- iii) That the Committee approve the fees and charges for Photography & Reproduction 2017/18 Appendix C.
- iv) That the Committee note previously agreed fees and charges for Schools and Bookings for 2017/18 in Appendix D.

**32 REVISED DRAFT SHOREHAM HARBOUR JOINT AREA ACTION PLAN**

**32.1 RESOLVED:**

- i) That the Committee approves the revised draft Shoreham Harbour Joint Area Action Plan and its supporting documents; the Sustainability Appraisal (SA) and the SA non- technical summary; for an eight week period of stakeholder and public consultation between December 2016 and February 2017.
- ii) That the Committee approves the following studies: Shoreham Harbour Transport Strategy (October 2016); Adur Local Plan and Shoreham Harbour Transport Study Report Addendum (June 2014); Adur Local Plan Second Addendum: Revised Reissue Transport Study (September 2016) and its appendices A-I; as supporting evidence for the JAAP and further Local Development Documents.

**33 RESIDENTIAL LETTING BOARDS**

- 33.1 The Committee considered a report of the Executive Director for Economy, Environment & Culture in relation to Residential Letting Boards. The report reviewed options and recommended the way forward for restricting the poor quality environment caused by a proliferation of residential letting boards in the context of available resources.
- 33.2 Councillor Nemeth formally proposed his amendment and stated he would speak to this further during the debate. Councillor Peltzer Dunn then formally seconded the amendment.
- 33.3 In response to Councillor Nemeth and Councillor Peltzer Dunn it was clarified that the intention of the report was to cover both sales and lettings boards in the city; the report had considered options and recommendation a voluntary scheme.
- 33.4 In response to Councillor Nemeth the following responses were given to questions. The Secretary of State had not been contacted in relation to the extension of the Article 4 area since the existing area was formally introduced; however, it was the professional assessment of Officers that there had not been any material change that would justify

an extension of the area. In relation to benchmarking against other authorities it was highlighted the city was one of the first to introduce and there were few other comparisons to be made. In relation to changes in the business models of lettings and estate agents, it was acknowledged that these were increasingly online; however, the regulations and tests that the Secretary of State would consider had not changed since 2009. Whilst Officers acknowledged that it would be resource intensive to undertake the pilot voluntary scheme, it was considered that pursuing an extension of the Article 4 area would be unsuccessful and an imprudent use of resources.

- 33.5 In response to Councillor Druitt the following responses were given to questions. The previously rejected areas for the Article 4 were: Hove Station, the Old Town; parts of Regency and Valley Gardens – it was reiterated that there no significantly changes since the introduction 6 years ago. In relation to submitting a new application it was clarified that this could be not quantified in terms of an appropriate length of time between making applications, but was more linked to the magnitude of change in the area. The test around amenity related to townscape and the visual impact of a higher quality townscape.
- 33.6 Councillor Yates highlighted that the Labour Group would not be supporting the amendment as the context had not changed, and he accepted the professional assessment of Officers. However, he welcomed the proposal set out in the report and noted the extent of the problem in his own Ward. If successful the pilot scheme could be rolled out other locations in the city.
- 33.7 The Chair confirmed that Councillor Yates had raised this matter when she became the Chair of the Planning Committee in 2015, and she had tasked Officers to look into it further.
- 33.8 Councillor Druitt noted that he had been convinced by the points put forward by Officers in response to questions, but highlighted that the decision should be looked at again at the earliest opportunity if there was a material change of circumstances.
- 33.9 Councillor Nemeth expressed his concern that the Secretary of State had not been contacted, and he felt the Committee had not acknowledged the positive impact the existing Article 4 had made. The Officer report made no acknowledgment of changes in the industry, and no other successful cases had been looked at elsewhere in the country. Councillor Nemeth also highlighted his view that the original thrust of the Notice of Motion had been ignored in the Officer report.
- 33.10 Councillor O'Quinn commended the work of Officers and noted that she would not be supporting the Conservative amendment.
- 33.11 The Chair then put the Conservative Group amendment to the vote. This was **not carried**.
- 33.12 Councillor Yates proposed an amendment to recommendation 2.2 to reference both sales and lettings boards. This was seconded by Councillor O'Quinn. The Chair then put this amendment to the vote. This was **carried**.



33.13 Councillor Druitt then proposed an amendment to add an additional recommendation at 2.3 to read, 'The Committee agree to review the decision not to pursue if there is a substantive change to the law of the character of the area in question.' This was seconded by Councillor Greenbaum. The Chair then put the amendment to the vote. This was **carried**.

33.14 The Chair then put each recommendation to the vote in turn. Recommendation 2.1 was **carried** with 6 in support and 4 against; Councillor Nemeth asked that his vote against be recorded. Recommendations 2.2 and 2.3 were both **carried** unanimously.

33.15 The Chair put the recommendations to the vote.

**33.16 RESOLVED:**

- i) That the Committee notes the Secretary of State's previous conclusion that the criteria for a Regulation 7 Direction is not met by Hove Station, Old Hove or Old Town Conservation Areas or sections of Regency Square and Valley Gardens Conservation Areas and specifically excluded these areas from the Regulation 7 Direction granted in 2010 (Appendix 2).
- ii) That the Committee agrees a pilot scheme in the Lewes Road Area for the voluntary management of residential sales and letting boards which would include the preparation of guidance outlined in para. 3.8 and existing Housing Partnership work. The outcomes of the scheme will be brought back to this committee for review after an operating period of one year and considered for extension to a wider area.
- iii) That the Committee agree to review the decision not to pursue an expansion of the Regulation 7 Direction if there is a substantive change to the law, or the character of the area in question.

**34 BRIGHTON DIGITAL CATAPULT CENTRE PROJECT**

**34.1 RESOLVED:**

- i) That the Committee notes the progress being made in delivering the Digital Catapult in Brighton & Hove and the wider Coast to Capital area.
- ii) That the Committee supports the continued involvement of the City Council in the Digital Catapult and its work to support businesses and the growth of the sector.

**35 OUTDOOR EVENTS – MADEIRA DRIVE ROAD CLOSURES 2017**

35.1 The Committee considered a report of the Executive Director for Economy, Environment & Culture in relation to Outdoor Events – Madeira Drive Road Closures 2017. The purpose of the report was to seek approval for landlord's consent of the proposed programme of events on Madeira Drive in 2017 and the associated road closures.

- 35.2 In response to Councillor Greenbaum it was agreed that Officers could provide a briefing, either at formal session or by circulating a paper, to provide more information on how decisions in relation to events were taken.
- 34.3 In response to Councillor Nemeth it was explained that consultation was undertaken with the businesses on Madeira Drive; however, this did not usually involve the operators of the Pier, but they could be included in future consultation.
- 35.4 In response to Councillor Greenbaum it was explained the value to the city of an event was measured, for many organisers this related to the economic benefits to the city. They was no formal feedback process for residents, but reviews of events were undertaken.
- 35.5 Councillor C. Theobald welcomed the number of events that were held in the city.
- 35.6 The Chair then put the recommendations to the vote and these were carried unanimously.
- 35.7 **RESOLVED:**
- i) That the committee grants landlord's consent for the 2017 programme of events on Madeira Drive and the associated road closures as listed in Appendix 1.
  - ii) That the committee authorises the Executive Director for Economy, Environment & Culture to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate.
  - iii) That the committee authorises the Executive Director for Economy, Environment & Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

**36 OUTDOOR EVENTS IN PARKS AND OPEN SPACES 2017**

- 36.1 The Committee considered a report of the Executive Director for Economy, Environment & Culture in relation to Outdoor Events in Parks and Open Spaces 2017. The purpose of the report was to seek approval from members for landlord's consent for the proposed programme of outdoor events in parks and open spaces in 2017.
- 36.2 Councillor Greenbaum commented that she was unhappy that there had not been the required consultation with ward councillors about the Oktoberfest event planned for the Level, and she had therefore not been able to consult with local residents. It was clarified that the consultation had taken the form of an attachment listing all events in an email to all Ward Councillors, as was standard for an event of this size. Councillor Nemeth commented that he thought this was adequate consultation. It was agreed that in future Officers would undertake to inform Ward Members of proposed events in their Wards to better facilitate a dialogue with Officers, Members and residents.
- 36.3 In response to concerns from the Committee, Officers provided assurance that there were a series of statutory consultees, and concerns raised were taken seriously.

36.4 In response to Councillor Yates, it was clarified that the report would allow for landlord's consent to be granted; however, this would be subject to agreement through the normal negotiation process.

36.5 At this point in the proceedings in the Committee resolved to go into Part Two to consider the information contained in the Part Two appendix.

36.6 When the Committee reconvened Councillor Nemeth proposed an amendment to recommendation 2.1 so that it also include the event listed in Appendix 2. This was formally seconded by Councillor Peltzer Dunn. The Chair then put the amendment to the vote. This was **carried**.

36.7 The Chair put the recommendations to the vote.

**36.8 RESOLVED:**

- i) That the committee grants landlord's consent for the events listed in Appendices 1 and 2.
- ii) That the committee authorise the Executive Director for Economy, Environment & Culture to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate.
- iii) That the committee authorises the Executive Director for Economy, Environment & Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.
- iv) That the council make clear, through provision of a briefing or report, the terms by which fees and charges for outdoor events in parks and open spaces are negotiated.

**37 MAJOR PROJECTS UPDATE**

37.1 In response to questions the following information was given:

- In relation to Preston Barracks a planning application was expected before the end of the calendar year.
- In relation the Waterfront the project was currently focused on the commercial and legal negotiation, these were reaching a conclusion. Once the project was formally triggered it would consider issues such as the wider impact on the shops in Western Road.
- In relation to the King Alfred it expected that an update would come to the Strategic Delivery Board on how the scheme had progressed. Officers were mindful of giving as much information in public as possible.

37.2 **RESOLVED** – That the Committee note the update.

**38 ITEMS REFERRED FOR COUNCIL**

38.1 There were no items referred to Council.

**39 OUTDOOR EVENTS IN PARKS AND OPEN SPACES 2017 - EXEMPT CATEGORY 3**

39.1 **RESOLVED** - That the Committee note the information contained in the Part Two appendix.

**40 PART TWO PROCEEDINGS**

40.1 **RESOLVED** – That the information contained in the Part Two , Item 39, remain exempt from disclosure to the press and public.

The meeting concluded at 7.59pm

Signed

Chair

Dated this

day of