



**Brighton & Hove
City Council**

Tourism, Development & Culture Committee

Title:	Tourism, Development & Culture Committee
Date:	16 November 2017
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Robins (Chair), Cattell (Deputy Chair), Nemeth (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Mac Cafferty, Mears, Morris, O'Quinn and C Theobald
Contact:	Cliona May Democratic Services Officer 01273 291354 democratic.services@brighton-hove.gov.uk



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Democratic Services: Tourism Development & Culture Committee

Democratic Services Officer	Councillor Robins Chair	Executive Director	Legal Officer
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Officer
Officer
Officer
Officer
Officer

Councillor Cattell
Deputy Chair

Councillor Allen

Councillor Morris

Councillor O'Quinn

Councillor Nemeth
Opp Spokes

Councillor Mears

Councillor C. Theobald

Councillor Druitt

Councillor Mac Cafferty

Public Speaker

Councillor Speaking

Press

Public Seating

AGENDA

PART ONE

Page

26 PROCEDURAL BUSINESS

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

In each case, you need to declare

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

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

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

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

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

27 MINUTES

1 - 22

To consider the minutes of the meeting held on 29 September 2017 (copy attached).

Contact Officer: Cliona May
Ward Affected: All Wards

Tel: 01273 291354

28 CHAIRS COMMUNICATIONS

29 CALL OVER

- (a) Items (32 – 36) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

30 PUBLIC INVOLVEMENT

23 - 26

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

- (a) **Petitions:** to receive any petitions presented by members of the public to the full Council or as notified for presentation at the meeting by the due date of 2 November 2017;
 - i) **Water Fountains to Reduce Rubbish and Pollution – Lead petitioner Charles Cross.** Extract from the proceedings of the Council meeting held on 2 November, 2017 (copy attached).
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 9 November 2017.
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 9 November 2017.

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 01273 291006

31 MEMBER INVOLVEMENT

27 - 28

To consider the following matters raised by Members:

- (a) **Petitions:** To receive any petitions referred from Full Council or submitted directly to the Committee;
- (b) **Written Questions:** To consider any written questions;
 - i) **Royal Pavilion Gardens – Councillor Nemeth**
 - ii) **Sports Clubs – Councillor Nemeth**
 - iii) **Marlborough House – Councillor Nemeth**
 - iv) **Tennis/Football at Hove Park – Councillor Nemeth**
 - v) **Planning Enforcement – Councillor Nemeth**
 - vi) **Fly-Tipping – Councillor Nemeth**
- (c) **Letters:** To consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.

TOURISM, DEVELOPMENT & CULTURE COMMITTEE

- 32 OUTDOOR EVENTS - MADEIRA DRIVE ROAD CLOSURES 2018** **29 - 46**
- Report of the Executive Director for Economy, Environment & Culture (copy attached).
- Contact Officer: Ian Shurrock Tel: 01273 292084*
Ward Affected: All Wards
- 33 OUTDOOR EVENTS IN PARKS AND OPEN SPACES 2018** **47 - 56**
- Report of the Executive Director for Economy, Environment & Culture (copy attached).
- Contact Officer: Ian Shurrock Tel: 01273 292084*
Ward Affected: All Wards
- 34 MAJOR PROJECTS UPDATE** **57 - 64**
- Information paper from the Executive Director for Economy, Environment & Culture (copy attached).
- Contact Officer: Sam Smith Tel: 01273 291383*
Ward Affected: All Wards
- 35 REVIEW AND UPDATE OF PLANNING AND BUILDING CONTROL FEES AND CHARGES** **65 - 90**
- Report of the Executive Director for Economy, Environment & Culture (copy attached).
- Contact Officer: Liz Hobden Tel: 01273 292504*
Ward Affected: All Wards
- 36 SECTION 106 - 2016/17 CONTRIBUTIONS FINANCIAL REPORT** **91 - 98**
- Report of the Executive Director for Economy, Environment & Culture (copy attached).
- Contact Officer: Debra May Tel: 01273 292295*
Ward Affected: All Wards
- 37 ITEMS REFERRED FOR FULL COUNCIL**
- To consider items to be submitted to the 14 December 2017 Council meeting for information.
- In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting*

TOURISM, DEVELOPMENT & CULTURE COMMITTEE

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For further details and general enquiries about this meeting contact Cliona May, (01273 291354, email democratic.services@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Wednesday, 8 November 2017

BRIGHTON & HOVE CITY COUNCIL

TOURISM, DEVELOPMENT & CULTURE COMMITTEE

4.00pm 21 SEPTEMBER 2017

HOVE TOWN HALL, COUNCIL CHAMBER - HTH

MINUTES

Present: Councillors Robins (Chair) Cattell (Deputy Chair), Nemeth (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Cobb, Horan, Mac Cafferty, Mears and Morris

PART ONE

12 PROCEDURAL BUSINESS

12a Declarations of Substitutes

12.1 Councillor Horan stated that she was present in substitution for Councillor O'Quinn. Councillor Cobb stated that she was present in substitution for Councillor C Theobald.

12b Declarations of Interest

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

12c Exclusion of Press and Public

12.3 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.

12.4 **RESOLVED:** That the press and public not be excluded from the meeting.

13 MINUTES

13.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 22 June 2017 as a correct record.

14 CHAIRS COMMUNICATIONS

14.1 The Chair gave the following communications:

Royal Pavilion & Museum

- 14.2 The RPM has received Festival of Learning Employer award in the London and South East region for exceptional achievement in adult learning. The award celebrates businesses that have used learning proactively to develop and utilise the skills of their workforce to improve productivity, raise morale, increase staff retention and enhance their business performance. This workforce development programme at the RPM funded as part of the Arts Council funding pays releases front line staff to undertake different roles across the RPM.

Connected's Arts & Creative Industries Commission

- 14.3 The process for developing a new arts & culture framework in partnership with Brighton & Hove Connected's Arts & Creative Industries Commission is under way. A series of workshops is being held over coming weeks, followed by a Summit in November. The framework will articulate the shared vision for culture and creative industries in the area and identify the priorities and key actions for the partners in the coming years. This will provide a focus for seeking investment and for collaboration in the sector. The process is open, and will include some public debate. Interested parties are encouraged to get involved so that their voices can be heard. Consultants have been appointed to develop a new Visitor Economy Strategy and will be starting work in the coming weeks. Both this piece of work and the Cultural Framework, will link to the developing Economic Strategy for the city, to ensure that Brighton & Hove punches its weight as a leading cultural city and tourism destination.

Launches at Brighton Museum and Art Gallery

- 14.4 I attended two launches at Brighton Museum & Art Gallery in July, both showcasing really interesting community projects:
- 14.5 On Friday 14th July, I saw a display by the Photography Club, a spring-summer programme for young people run by the Royal Pavilion & Museums and Photoworks. The Club offered 14-16 year olds the opportunity to develop their camera skills, produce photographs for the two-month display and gain an Arts Award certificate. The group's work was inspired by Brighton Museum's 'Constable in Brighton' exhibition and meeting curators.
- 14.6 I was back on Wednesday 19 July for the exuberant opening of 'The Museum of Transology, in the Museum's Spotlight Gallery, open until 13 June 2018. I urge you all to see this bold, brave and profound exhibition. It shows a collection of material and stories drawn largely from members of the trans community in Brighton and explores their self-determined gender journeys.

Visit Brighton

- 14.7 Working with over 515 City partners engaged in tourism, in the last 3 months VisitBrighton has:

- Launched the Save Madeira Terrace Campaign – currently £180,000 pledged towards a target of £430,000
- Hosted journalists that has resulted in coverage in: BBC Good Food, Street Eats London, Red Magazine, The Telegraph and German national newspapers Freizeit Spass and Nürnberger Nachrichten
- Seen 671,348 unique visits to visitbrighton.com
- Engaged with 55k followers on Twitter, 22k friend on Facebook and 8k followers on Instagram
- Handled 66 conference enquiries, confirming enquiries which will generate £10m on their arrival, most notably confirming:
 - British Sleep Society Biennial Conference – arriving October 2017 – 400 delegates
 - Chartered Institute of Library & Information Professionals Annual Conference – July 2018 – 600 delegates
 - Society of Local Authority Chief Executives Summit – arriving October 2018 – 400 delegates
 - UNISON Healthcare Conference – April 2020 – 400 delegates
- Booked 4416 bed nights of accommodation for conference clients generating £62k commission

Brighton Centre

14.8 The following have taken place:

- Successful delivery of Trades Union Congress (10 to 13 September 2017)
- Currently building up for Labour Party conference (open days 24 to 27 September 2017), expecting 11,000+ registered delegates, press, contractors and exhibitors to attend the event with National and International media coverage of the conference over this weekend and next week.
- 34 concerts confirmed in the diary from the beginning of October until Christmas with a further five conferences being held.

14.9 **RESOLVED** – That the contents of the Chair’s Communications be received and noted.

15 CALL OVER

15.1 All items on the agenda were reserved for discussion with the exception of Item 24 “Revised Local Development Scheme 2014–2017” which was agreed without discussion.

16 PUBLIC INVOLVEMENT

16a Petition(s)

16.1 The Chair Referred to the fact that two petitions had been received, one of which had been referred from the Council meeting held on 6 April 2017. This had been deferred from consideration at the last meeting of the Committee in order to be considered in conjunction with the report on the "Review of Animal Welfare (Item 18 on the agenda for that days meeting. There was also an additional petition to be presented at the meeting on the same subject although representing an opposite view. The Chair confirmed that

he would therefore take each item in turn before then taking Item 18 and opening the matter up for discussion.

- 16.2 The Chair stated that in view of the delay in giving consideration to the petition from Ms Baumgardt the Chair invited her to come forward and to address the Committee. Ms Baumgardt was advised that she had up to three minutes in which to outline the reasons for the petition.
- 16.3 The Chair thanked Ms Baumgardt for her submission and referred to the second petition which had been submitted by Mr David Hibling requesting that animal circuses are not banned in the city. Mr Hibling was invited forward to address the Committee and was also advised that he had up to 3 minutes to outline the reasons for the petition and to confirm the number of signatories. The Chair thanked Mr Hibling for his submission.
- 16.4 The Chair suggested that as two conflicting petitions had been presented and the issues arising would be discussed in connection with the report on the Animal Welfare Charter (item 18 on that day's agenda) that it would be appropriate for the Committee to agree to note the contents of both petitions.
- 16.5 **RESOLVED** – That the content of the petitions be noted.

16b Written Questions

- 16.4 There were none.

16c Deputations

- 16.5 There were none.

17 MEMBER INVOLVEMENT

17a Written Questions

- 17.1 The Chair noted that six questions had been received from Councillor Nemeth and three questions had been received from Councillor Mac Cafferty.

Marlborough House

- 17.2 Councillor Nemeth asked: "What actions have been carried out by Brighton & Hove City Council to enforce a series of planning breaches (recent or otherwise) at Marlborough House on the Old Steine in Brighton?"
- 17.3 The Chair provided the following written response:" "The council has issued two Listed Building Enforcement Notices in respect of unauthorised works to Marlborough House. The first of these required the removal of unauthorised rooflights and the reinstatement of dormer windows, rear porch and internal plaster to the basement. This Notice is still outstanding and officers are pursuing compliance with the owner. The second Notice refers to the unauthorised painting of the front elevation and requires the removal of the paint from the render and to return the windows to their previous colour. The period for compliance with this Notice expires on 6 November.

We are not aware of any other unauthorised works. We are seeking not only to secure compliance with the enforcement notices but also to find a way of bringing this vacant listed building back into long term use.”

King Alfred

- 17.4 Councillor Nemeth asked: “In his capacity of head of major projects for Brighton & Hove, and given that Crest Nicholson was supposed to sign the King Alfred project contract in 2016, will the Chair make clear how long he is willing to wait before calling an end to the working relationship?”
- 17.5 The Chair provided the following written response:” The Council continues to work closely with Crest Nicholson and its partner the Starr Trust, to conclude the legal and financial details that are essential before the project is able to proceed. This has been more complex than originally anticipated and has certainly taken longer than we would ideally like. Progress has been made and all parties remain committed to moving forward. The ‘Housing Infrastructure Fund’, launched by the Government in July 2017, is targeted at projects just like this and it offers a potential source of funding that would help unlock the King Alfred Development. The Council and Crest are therefore in the process of developing a bid, the deadline for which is 28 September 2017, and the outcome of any bid should be known within a matter of months.”

Running Participation

- 17.6 Councillor Nemeth asked: “What plans does the Chair have to increase participation in running locally?”
- 17.7 The Chair provided the following written response: ”A wide range of initiatives take place to increase participation in running locally in conjunction with local clubs, schools, events and other organisations. These include:

TAKEPART Festival of Sport

Running clubs promoted their activities at the launch event at The Level and offer taster sessions to encourage new members including Brighton & Hove Women’s Running club and Brighton Triathlon Club.

National School Game Programme

Competitions in both cross country and athletics are organised in partnership with local athletics clubs to ensure there is a link to enable regular participation.

Startrack Athletics Days

Freedom Leisure deliver Startrack athletics days at Withdean Sports Complex during the holiday activity programme to introduce young people to athletics.

Events Programme

The events programme has developed in recent years to include a wide range of running events at a variety of distances in addition to the success of the Brighton

Marathon. These events encourage regular participation in running to train for the event. Events such as Colour Run appeal to new runners and complement the regular opportunities available such as Parkruns.”

Effects of Graffiti on Tourism

- 17.8 Councillor Nemeth asked: “What representations has the Chairman made to colleagues (prior to the submission of this question) on the effects on tourism of the huge increases in graffiti around the city centre that we have seen over the past two years?”
- 17.9 The Chair provided the following written response: “Thank you for your rather specific question, but nonetheless raising an issue of interest to residents and tourists. There hasn’t been a huge increase in graffiti in the past two years, and we are very positive about our tourism offer, with attendances the highest for 51 years at the Brighton Festival this year, and the Palace Pier named last month as the fourth most visited tourist attraction in Britain, and the most visited attraction outside London.
- 17.10 However, there has been an increase in tagging in the last couple of months, and this can have an impact on residents as well as visitors, so we are mindful of the issue of graffiti overall, including the fact that we are a major tourist destination.
- 17.11 As a Labour administration we care about the city’s environment – for residents and visitors – which is why we take enforcement action that is within our powers, and explore new opportunities for enforcement where we believe this will be beneficial. For example we have new enforcement action against fly-tipping and littering, as well as enforcement action to protect our parks and seafront.
- 17.12 I know that the Chair of Environment Transport and Sustainability is fully aware of the situation with regard to recent tagging, and has worked to ensure that all agencies are focussed on the problem: the police, enforcement officers and Cityclean.
- 17.13 For information, the council is responsible for removing graffiti from public property including the pavement, street signs, parks, lights and benches. We also remove offensive graffiti on both public and private property as soon as possible. Clearing other graffiti from private property is the responsibility of the owner, but the council will try to help prevent and remove graffiti where we can. We have cleaned the large graffiti from Barclays bank following requests from businesses and members of the public.”

Planning Department

- 17.14 Councillor Nemeth asked: “What is the predicted date for the completion of the transformation of Brighton & Hove City Council’s Planning Department?”
- 17.15 The Chair provided the following written response: “There is a two year work programme in place (March 2017- March 2019) to modernise the Planning and Building Control Service. This programme is made up of a number of projects of which many will be delivered earlier, for example service efficiencies (ongoing to March 2018), introduction of customer service standards (September 2017) and performance improvements (ongoing). Though the programme is for two years there is a

commitment to continuous and ongoing improvement of the Planning Service in the future.”

Sculpture Trail

- 17.16 Councillor Nemeth asked: "What progress has been made by Brighton & Hove City Council over the past year in working with Hove Civic Society and other interested parties since the initial meeting with the Chair to establish a sculpture trail for the city?"
- 17.17 The Chair provided the following written response: "The Civic Society has worked with the Council on the Hove Plinth project, including negotiating the lease on the site of the plinth and obtaining planning permission for the first three planned pieces of art. The Society's proposal to aggregate developer contributions and use Community Infrastructure Levy to create a funding pot for the commissioning of sculptures to create a trail around the city has been considered and officers from Planning have met the society on a number of occasions. As s106 contributions from developers are required to be spent specifically on the development sites, and Brighton and Hove does not yet have a CIL programme, the proposal as set out by the society cannot be progressed at this time. However, it is proposed to develop a more strategic approach to public art, which would include engagement with the private sector and could include a sculpture trail, following the publication of the new culture framework for the city in early 2018.

Commercial Estate Agent Boards

- 17.18 Councillor Mac Cafferty asked: "A Regulation 7 Direction is currently in place to restrict residential 'for sale' and 'to let' boards within most of the conservation areas in the city centre. The effect is that no residential sale or letting boards may be displayed on the street frontages of properties without express consent. Although there is planning policy in place which regulates some of the aspects of advertisements, further to the growth of commercial estate agent boards along some of the busiest roads in a number of the conservation areas, I wonder if the Chair would consider:
- In the first place, discussing a voluntary agreement that could be reached between the council and the estate agents in the city on what can be done to limit the impact of commercial boards in the most sensitive historic areas or for promotion to be carried out in other ways;
 - Seeking to trial the idea of a selected area where a more robust approach is taken with regard to commercial estate agent boards;
- 17.19 Such a trial could be used to begin a broader discussion about potentially extending the current Regulation 7 to include commercial boards as well as residential estate agent boards in conservation areas. Any further commitment on this would obviously require a public consultation process and consent from the Secretary of State for Communities and Local Government. "Your concerns regarding the proliferation of commercial Estate Agents Boards in conservation areas in the city centre are noted. As indicated in your question this is an area already covered by a Regulation 7 Direction for the control the display of residential boards only.

- 17.20 In terms of introducing voluntary pilot scheme for controlling commercial signs, unfortunately, at this time officer resources are not available to support this. Following the resolution of this committee, officers are focusing on implementing a pilot scheme for the voluntary control of residential boards in the Coombe Road Area where there is a problem with proliferation of estate agents/letting boards. A report will be brought back to committee next spring to outline how successful this pilot scheme has been; and whether and how it should be rolled out to cover a wider area. This will help to inform taking forward other voluntary schemes such as controlling commercial estate agents boards.
- 17.21 In addition, in response to your suggestion, officers have instructed the consultant appointed to undertake the Old Town Management Plan to assess whether commercial estate agent boards are a problem in the Old Town Conservation Area. This is the type of evidence required to determine whether additional planning controls are justifiable in Old Town and potentially the wider Regulation 7 Direction Area. The Old Town Management Plan will be brought to this committee for consideration in June 2018.”
- 17.22 The Chair provided the following written response: “Your concerns regarding the proliferation of commercial Estate Agents Boards in conservation areas in the city centre are noted. As indicated in your question this is an area already covered by a Regulation 7 Direction for the control the display of residential boards only.
- 17.23 In terms of introducing voluntary pilot scheme for controlling commercial signs, unfortunately, at this time officer resources are not available to support this. Following the resolution of this committee, officers are focusing on implementing a pilot scheme for the voluntary control of residential boards in the Coombe Road Area where there is a problem with proliferation of estate agents/letting boards. A report will be brought back to committee next spring to outline how successful this pilot scheme has been; and whether and how it should be rolled out to cover a wider area. This will help to inform taking forward other voluntary schemes such as controlling commercial estate agents boards.
- 17.24 In addition, in response to your suggestion, officers have instructed the consultant appointed to undertake the Old Town Management Plan to assess whether commercial estate agent boards are a problem in the Old Town Conservation Area. This is the type of evidence required to determine whether additional planning controls are justifiable in Old Town and potentially the wider Regulation 7 Direction Area. The Old Town Management Plan will be brought to this committee for consideration in June 2018.”

Seafront Radios

- 17.25 Councillor Mac Cafferty asked: “On several occasion over the summer months I witnessed with considerable concern that lifeguards were appearing to struggle to hear and transmit clear messages on their walkie-talkies on the seafront. I am assuming this had something to do with reception for their devices on the beach. Can I ask the Chair that this is investigated and for assurances that something will be done to improve this?”
- 17.26 The Chair provided the following written response: “The Seafront Office have not reported any difficulties with the reception for their devices on the beaches located in Hove and Brighton. Difficulties do occur when there are strong wind conditions and the

lifeguard has to seek some shelter to undertake a call. There are some issues with reception for the radios at the beaches in the Deans, but the lifeguards have mobile phones which provide additional cover to ensure communication can take place.”

Cheaper Train Fares From London Victoria

- 17.27 Councillor Mac Cafferty asked: “With regard to tickets bought in person at the station on the day of travel, many of us will know that there are often good offers on train fares from Brighton to London Victoria but there are currently no such similar offers on journeys from London Victoria to Brighton. We may never know but I wonder how much this has impacted on day visitors who buy a ticket in person at Victoria Station. If we are to keep pushing to maintain our place as one of the nation’s favourite seaside resorts, we need to unlock as many of these blockages to visitors. Can the Chair please indicate if he would be willing to approach the rail companies to ask for their cooperation in promoting cheaper day returns for in person, on the day of travel offers in good time for the start of the tourist season in 2018? Such offers could be done in coordination with Visit Brighton and partners in the tourist attractions and hotel and restaurant trade in the city.”
- 17.28 The Chair provided the following written response: “Thank you for your question, I agree that Brighton & Hove arguably has as many interesting and varied attractions as the Capital, including many characterful features that are unique to the City, such as its 12km of beautiful coastline, Regency and Victorian architecture, easy access to The South Downs National Park and a very interesting cultural offering, including a vast array of high quality shops, restaurants and entertainment places. Whilst there are good transport links to the City, the train network is vital in providing efficient, high quality mass movement, particularly for the daily commute to London but is also important during the off peak hours and at weekends so is essential that the fare structure provides an incentive for visitors to travel to the City sustainably avoiding using their cars to support reducing both congestion and air pollution.
- 17.29 Officers have raised the issue of fare deals with Govia Thames Link Railways (GTR) who operate the Southern and Gatwick Express services and they commented that they “offer a range of advance fares for passengers travelling from Victoria to Brighton offering good value for money, for example fares for travel on Friday 22 September are available from £8.50. For those travelling on the day are Super Off Peak tickets available on the Thameslink route at weekends from London. However GTR operate a management style contract in this franchise with all passenger ticket revenue going to the government and this constrains their ability to offer cheaper fares.
- 17.30 Officers will pursue this matter further with GTR, in order to create a fare structure that will better serve and attract more visitors to the City. However lobbying of central government may be necessary to secure long term changes.”

17b Notice of Motion – Off Plan Sales

- 17.31 The Chair noted that the following Notice of Motion had been approved at the meeting of Full Council held on 20 July 2017 and had been referred to the Committee for consideration:

17.32 This Council requests that:

(1) The Chief Executive writes to Secretary of State for Communities and Local Government to seek the introduction of new primary legislation for all local Authorities to ring-fence for a prescribed period of time – as determined locally - the sale of properties 'off-plan' at a discount to:

first-time buyers who are local residents who have expressed an interest following a call for such expression of interest
Registered Providers, and
Local Councils

After which prescribed period of time such properties would then be offered to all other local potential buyers, prior to UK commercial and overseas investors;

(2) Prior to the implementation of any guidance received, a report be produced and presented to Tourism, Development and Culture Committee to advise the likely impact such powers will have on:-

-future housing development projects by private entities in the City,
-local property prices, and
-potential additional homes provided, and quantity of and proportion by development set aside for affordable homes.”

17.33 The Chair gave the following response: “I would like to propose that the Notice of Motion is noted at this time. Subject to Committee approval our intention is to bring a report to the next Tourism, Development & Culture Committee on a range of matters arising from this motion including potential risks and opportunities. Improving Housing Supply in the City to meet identified local needs is a key priority of both our Housing Strategy and City Plan. A key theme of our Housing Strategy is the lack of availability of affordable homes, in particular family homes, and the economic impact of this lack of housing supply on our ability to retain lower income working households and employment in the City. The availability of homes in the city to meet the needs of our workforce, both public and private sector has become a problem for employers for whom the recruitment and retention of lower income workers in Brighton & Hove has increasingly become an issue.

17.34 This is in addition to the council’s ability to meet the needs of those who approach us for housing and those to whom we owe a duty to accommodate. Brighton & Hove has over [21,000] households on our Housing Register, 1,800 in temporary accommodation and a significant shortage of affordable homes. Housing demand, growth in the private rented sector and rising rents have an adverse effect on affordability of housing in the city. This has contributed to a decline in owner occupation as those seeking to buy their own home are increasingly unable to take advantage of housing for sale either through cost or as a result of sales of residential accommodation meeting demand from buy to let or other landlord investors often from outside the City rather than prospective home owners who live and / or work in Brighton & Hove. This has led to concerns that housing supply that is delivered locally fails to meet local housing needs and exploration of options to address this. Options already under consideration include the council’s

investigation of alternative funding and delivery mechanisms to deliver new housing supply to meet the needs of those who live and work in the City. This includes our Living Wage Joint Venture with Hyde and our work on a wholly owned housing company to take forward any opportunities for the Council to buy homes off plan on new developments in the City through our Housing Market Intervention approach.

17.35 Potential implications for any legislation will need to be carefully considered. In particular, there are likely to be significant implications from the introduction of such legislation on the ability of local planning authorities to deliver affordable housing through planning and other developer contributions/Community Infrastructure Levy payments. Planning policy currently seeks 40 per cent affordable housing on all developments of 15 or more dwellings. This is currently very challenging for viability reasons (particularly on brownfield sites) and therefore concerns are likely to be raised by the development industry that both requirements would make new residential development unviable and undeliverable. I therefore propose that the content of the "Notice of Motion" be noted and that the Committee request that a report be brought to the next Committee."

17.36 **RESOLVED** – That the contents of the Notice of Motion be received and noted.

18 REVIEW OF THE ANIMAL WELFARE CHARTER

18.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture prepared in response to a petition which had been considered at Full Council in April 2017 and referred to the Committee for further consideration. The petition had requested that the Council ban animals from performing at circuses in the city.

18.2 It was explained that the Council had adopted an Animal Welfare Charter which set out the Council's principles, values and policy on animal welfare standards including a policy relating to performing animals and circuses which provided that where it was lawful to do so, the Council would not allow land in its ownership to be used by circuses and other like enterprises of entertainment where caged and/or performing animals were used.

18.3 The Charter had been adopted taking into account the concerns of local people in respect of animal welfare and any cruel treatment, abuse or neglect of animals. The Charter exempted certain activities for instance, performances were allowed which involved equestrian acts, using only horses and ponies in circuses. Also the showing of birds, rabbits and other domestic animals. Attitudes to animal welfare and the ethics of using animals for performances had evolved and the report had considered therefore whether it would be appropriate to remove the existing exemptions.

18.4 The Chair, Councillor Robins stated that he had been notified of a proposed amendment by the Green Group. Councillors DrUITT and Mac Cafferty stated that they considered that it was appropriate for the existing exemptions to be removed and for two additional recommendations to be added. The amendment was proposed by Councillor DrUITT and seconded by Councillor Mac Cafferty in the following terms: (amendments/additions shown in bold italics)(wording to be removed in brackets)

“2.1 That the Committee (agree that) *agrees to undertake consultation on the proposal to remove* the exemptions in the animal welfare charter, in respect of performing animals in circuses (are kept in place) *in light of the unanimous vote of Full Council on 6 April 2017;*

2.2 That circuses visiting Brighton & Hove that continue to use performing animals are encouraged to review their policy; and

2.3 That a report is brought to Tourism, Development and Culture committee on whether fees for circuses with performing animals should be higher than fees for circuses without animals to account for the animal warden visits and the increased officer time responding to concerns by residents.”

- 18.5 Councillor Mac Cafferty stated that he was concerned that the report appeared to put forward a rationale for maintaining existing arrangements but did not appear to have rehearsed consideration of adopting an alternative approach as rigorously. It was explained that in advance of carrying out a consultation exercise officers had explored the position and had formed the view based on the advice given that to adopt any other policy than that currently in place could expose the authority legal challenge.
- 18.6 Councillor Mears asked for clarification of the process which was followed when Zippos circus applied for permission to use Hove Lawns. It was confirmed that rigorous conditions had to be met and that following grant of permission regular visits were made to ensure that any animals were properly housed and cared for.
- 18.7 Councillor Druitt asked whether officers were aware of any instances of circuses had made changes to their performances in order to comply with conditions which had been imposed locally. It was confirmed they were not.
- 18.8 Councillor Druitt referred to the legislative arrangements governing the use of performing animals in Wales and the legal adviser to the Committee, Hilary Woodward explained that those legislative arrangements were separate to those governing the remainder of the UK and were not therefore relevant to consideration of this report.
- 18.9 Councillor Cobb considered that there was a difference between the use of wild and domesticated animals and was satisfied that as the RSPCA considered the animals to be well kept that was this use was acceptable and that no further action was required.
- 18.10 Councillor Mears concurred stating that she was satisfied that the animals were well kept were not suffering from stress and that as an entertainment family’s should be able to make an informed decision as to whether or not to take their children along.
- 18.11 A vote was taken in respect of the proposed Green Group Amendment, which was lost on a vote of 6 to 3 with 1 abstention. Members then voted on the substantive recommendations as contained in the officer report.
- 18.12 **RESOLVED** – That the Committee agree that the exemptions in the “Animal Welfare Charter”, in respect of performing animals in circuses, are kept in place.

19 TOAD’S HOLE VALLEY SUPPLEMENTARY PLANNING DOCUMENT

- 19.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture setting out the results of the consultation undertaken on the “draft” Toad’s Hole Valley Supplementary Planning Document (SPD) and seeking approval for the changes made and adoption of the SPD.
- 19.2 It was noted that once adopted the SPD would assist in the delivery of the City Plan Part One by providing guidance, illustrations and examples to aid the preparation of detailed development proposals and to support the successful delivery of a new neighbourhood for the city at Toads Hole Valley.
- 19.3 Councillor Mears welcomed the report but expressed concern that the full document had not been made available to members stating that it would have been useful if Members had all of the relevant background information at their disposal when considering the report. The Executive Director, Nick Hibberd acknowledged all that had been said but explained that this document would provide guidance which would sit alongside the Council’s policies.
- 19.4 Councillor Druitt had similar concerns and queried whether it would be appropriate to defer consideration of the report until the Committee had the opportunity to consider all of the relevant background documents.
- 19.5 The Legal Adviser to the Committee, Hilary Woodward, explained that the Supplementary Planning Document (SPD), now had considerable weight although not as much as if it had been fully adopted. This document was not policy but was intended to provide guidance.
- 19.6 Councillor Mac Cafferty stated that he was aware that work on this document had been ongoing for some time and sat alongside the infrastructure documents and the overarching masterplan. Councillor Mac Cafferty noted that reference was made in the report to a transport assessment taking place in future but that no mention appeared to have been made to on-site infrastructure, seeking confirmation in respect of that matter. Councillor Mac Cafferty was concerned that its omission could result in a document which was not sufficiently robust.
- 19.7 It was explained that this document was intended to build in essential safeguards although it was not possible to require a masterplan for this site there was case law which could be invoked.
- 19.8 In answer to comments raised regarding the language used in the document, the Legal Adviser to the Committee, Hilary Woodward explained that Counsel’s advice had been given regarding the language used in order that it did not expose the authority to challenge.
- 19.9 Councillor Morris stated that notwithstanding that he wished for the word “encouraged” to be re-inserted into the text and it was agreed that this could be done without compromising the document overall.
- 19.10 **RESOLVED** – (1) That the Committee notes the results of the public consultation (Appendix 1) on the draft Toad’s Hole Valley SPD and accompanying Consultation

Statement (Appendix 2) and Strategic Environmental Assessment (Appendix 3) and endorses the changes made to the document; and

(2) Adopts the SPD15 “Toad’s Hole Valley” (Appendix 4) as an SPD subject to any minor grammatical and non-material text and illustrative alterations agreed by the Head of Planning prior to publication.

20 PROPOSED SUBMISSION SHOREHAM HARBOUR JOINT AREA ACTION PLAN

- 20.1 The Committee considered a report of The Executive Director, Economy, Environment and Culture seeking approval for the application of the Submission Shoreham Harbour Joint Area Action Plan (JAAP) along with its supporting documents. Approval was also sought for formal submission to the Secretary of State for independent examination. It would once approved provide a detailed planning policy framework for the implementation of development and infrastructure in the Shoreham Harbour Regeneration Area and covers a 15 year period.
- 20.2 It was explained that publication (once the submission had been approved) would be for a six week period of statutory public consultation prior to submission to the Secretary of State. The JAAP had been prepared jointly between the three local planning authorities: Brighton & Hove City Council, Adur District Council and West Sussex County Council and in partnership with the Shoreham Port Authority. Once adopted the JAAP would form part of Brighton & Hove’s Development Plan and would sit alongside and would need to comply with the Brighton & Hove City Plan Part One. It would also need to comply with Adur’s Local Plan.
- 20.3 The Head of Planning, Policy and Major Projects, Liz Hobden, explained that approval was sought for approval of the proposed submission in respect of the Shoreham Harbour Joint Area Action Plan (JAAP) along with its supporting documents. It would provide a detailed planning policy framework for the implementation of development and infrastructure in the Shoreham Harbour Regeneration Area and covered a 15 year period.
- 20.4 The Head of Planning, Policy and Major Projects, advised that a correction was required to the JAAP submission in order to address a drafting error, this related to the section titled “Development Form and Typography” in the supporting text on page 79.(Deleted wording is shown underlined and the replacement wording is shown in bold and underlined):

Paragraph 4.2.34

The following principles for development form are proposed:

- For new employment floorspace at the basin level, flexible employment uses are proposed arranged as two to three storey buildings on under-used plots.
- Mixed employment and residential uses with a dual frontage onto Kingsway (residential/mixed commercial activities of up to four storeys above Kingsway
- **(mixed commercial activities with residential accommodation on upper storeys)**, and Basin Road North (employment uses)
- Buildings in the basin itself should be simple and flexible with a contemporary appearance and character in keeping with the aesthetic of the harbour.

- New buildings should be of a modern design which complements the existing historic character.
- 20.5 The correction addressed an inconsistency between the policy and the supporting text. The inconsistency arose because the policy was amended after the landowner/developer challenged the soundness of the restriction on building heights. In addition to this the policy was not considered to comply with the adopted City Plan Part One which seeks full and effective use of all sites (the policy amendment is set out at Appendix 2, page 6, amended clause (7) to policy CA2.). The supporting text of the JAAP was not updated to reflect the change to the policy which was an oversight.
- 20.6 Councillor Nemeth proposed an amendment on behalf of the Conservative Group, stating that notwithstanding the rationale given for the officer amendment he considered that the wording as originally set out (notwithstanding the officer view that this was incorrect), reflected his views, he wished that wording to be voted on. In his view 7a should read as follows:
- “Building heights (as set out in Note 4.2.34) should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts and apply high quality design principles.
- Councillor Nemeth stated that he had simply added the words “(as set out in Note 4.2.34).” The amendment was seconded by Councillor Mears.
- 20.7 Councillor Nemeth stated that he considered that it was very important to ensure that height restrictions be maintained particularly once the Port Zed scheme came on stream. Residents of his ward had raised strong objections in respect of this matter and he considered that these should be respected.
- 20.9 Councillor Druitt sought clarification regarding the position should any amendment be agreed e.g., whether the process would be delayed and whether that would give rise to be a further consultation period.
- 20.10 Councillor Mac Cafferty stated that he was aware that it had taken a long time to this point. Enquiring whether approval of all of the constituent authorities would be required in order to effect any changes and whether this would be impacted by any subsequent boundary changes.
- 20.11 Councillor Morris noted that 46 letters of objection had been received in total, very few in relation to the size and scope of JAAP. The document had been fully consulted on and he did not therefore support the proposed amendment.
- 20.12 The Head of Planning Policy and Major Projects, Liz Hobden explained that the contents of the document before the Committee needed to be agreed by each of the constituent authorities and had been drawn up following a full consultation process. Any changes could not be agreed without further consultation and agreement by all parties.
- 20.13 The Legal Adviser to the Committee, Hilary Woodward, concurred that was so. Detailed and lengthy discussions had taken place and the submission now needed to move on to the next stage.

20.14 A vote was taken in respect of the proposed amendment put by Councillor Nemeth and seconded by Councillor Mears. The amendment was not carried, it was lost on a vote of 7 to 3. The Committee then voted on the substantive recommendations as set out in the report to include the officer amendment to the JAAP document itself. These were agreed on a vote of 7 to 3 as set out below.

20.15 **RESOLVED TO RECOMMEND** - That the Tourism, Development and Culture Committee recommends the following to Full Council

(1) That the "Proposed Submission Shoreham Harbour Joint Area Action Plan" appended as Appendix 1 to the report be agreed and published for a six week period of statutory public consultation together with its supporting documents commencing November 2017;

(2) That the document be subsequently submitted to the Secretary of State, subject to no material changes arising from the consultation, other than alterations for the purposes of clarification, improved accuracy or meaning or typographical corrections, being necessary;

(3) That the Head of Planning be authorised to publish and subsequently submit all necessary supporting evidence and studies to the Secretary of State;

(4) That the Head of Planning be authorised:

(a) to agree any draft "main modifications" to the Shoreham Harbour Joint Area Action Plan as necessary to make the plan sound;

(b) to publish such draft modifications for public consultation; save that should any draft modification involve a major shift in the policy approach of the Shoreham Harbour Joint Area Action Plan the draft modification shall be referred by the Head of Planning to the Tourism, Development & Culture Committee for approval; and

21 COMMUNITY INFRASTRUCTURE LEVY - PRELIMINARY DRAFT CHARGING SCHEDULE

21.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture which provided an update on the preparation of a Community Infrastructure Levy (CIL), as previously agreed by the Economic Development and Culture Committee on 22 September 2016 and sought approval to consult on a Preliminary Draft Charging Schedule (PDCS) underpinned by the findings of a bespoke CIL Viability Study.

21.2 It was noted that at its meeting in September 2016 the then Economic Development and Culture Committee had resolved that work commence on a CIL charging schedule for Brighton and Hove, noting that a key stage was to publish a PDCS for consultation. A CIL viability study had been carried out by consultants in order that it underpin the PDCS. This study had found that new-build residential development; purpose built student housing and new retail floor space could all bear a CIL charge within a recommended charging range. Other uses were recommended for a zero charge. In accordance with CIL Regulations, the CIL charge will be payable on new residential

units and new development creating over 100sq.m of net additional floor space. Exceptions included new affordable housing units, self-build housing and development by charities.

- 21.3 Councillor DrUITT welcomed the document and welcomed the fact that the level of fees charged could be adjusted each year in line with inflation and asking whether it was capable of review in the light of recession too.
- 21.4 The Legal Adviser to the Committee, Hilary Woodward explained that as this fell within a particular statutory framework which limited what could be done.
- 21.5 Councillor Morris asked whether the CIL was allied to property prices and it was confirmed that they were linked to local values.
- 21.6 The Chair, Councillor Robins sought clarification of the CIL boundaries.
- 21.7 **RESOLVED** – (1) That the Committee notes the findings and recommendations of the CIL Viability Study 2017; and

(2) That the Committee agrees to publish the Preliminary Draft Charging Schedule listed in Appendix 1 for formal consultation, as required under the CIL Regulations 2010 (as amended), for an eight week period and to authorise the Head of Planning to make any necessary minor editorial/grammatical amendments to the Preliminary Draft Charging Schedule prior to consultation.

22 HMO ENFORCEMENT UPDATE

- 22.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture which provided an update on enforcement investigations carried out in respect of Houses in Multiple Occupation (HMO's). The report set out the current position in respect of those investigations.
- 22.2 It was noted that the then Economic Development and Culture Committee had agreed at its meeting on 9 March 2017, in response to a request received from Councillor Hill, that it would bring forward a progress report to a future committee meeting.
- 22.3 The Planning Manager, Applications, Nicola Hurley, explained that the Planning Enforcement Team had investigated a high number of complaints across the city covering all aspects of development and had also resolved a significant number of breaches of planning regulations during 2016-2017. 820 new cases had been received and 604 cases had been closed. Both of those figures represented a significant increase on previous years and this could be attributed in part to the significant increase in reports of unauthorised HMOs in the city.
- 22.4 At the time of Councillor Hill's request and as reported to the Planning Committee in July 2017, at that time there had been 98 live HMO enforcement cases of which approximately 47 had been awaiting the outcome of decisions on planning applications; 12 enforcement notices had been issued of which 7 were in the appeal process. Four of the 12 notices issued since October 2016 had been served as a consequence of an application being refused.

22.5 Councillor Mears sought clarification regarding the number of officers in post and the allocation of enforcement cases in order to clear any backlog, she understood this stood at around 300 cases currently. Councillor Mears was aware that in her own ward alone there were a number of enforcement/potential enforcement issues awaiting allocation. It was confirmed that officers appointed in July were still in the process of being trained. The

22.6 **RESOLVED** – That the contents of the report be noted.

23 HOUSES OF MULTIPLE OCCUPATION - RESPONSE TO MATTERS RAISED AT FULL COUNCIL

23.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture which had been prepared in response to matters been raised at the meeting of Full Council which had taken place on 20 October 2016 following submission of a petition on behalf of “Family Homes Not HMOs.

23.2 It was noted that the petition had requested that:

i The City Plan Part One be reviewed in order to increase the area of restriction from 50 metres where applications for conversion to HMOs would be rejected if more than 5% of dwellings were already HMOs;

ii 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

iii 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 committee.

23.3 It was noted that as set out in Policy CP21 of the City Plan Part One, the current threshold used in considering planning applications for new build HMOs or a change of use to HMO was that they would not be permitted where more than 10% of dwellings within a radius of 50 metres of the application site were already in HMO use. This policy was being used to determine planning applications and applications which did not meet the criteria were usually refused. Research undertaken had indicated that no other planning authorities had set a threshold below 10% which would appear to show that a threshold as low as 5% would be hard to justify as a level which caused significant harm to residential amenity. It would need to be demonstrated that a 5% concentration was the ‘tipping point’ where a locality became unbalanced and the negative impacts of HMO concentrations become apparent, and that the current 10% level was ineffective in preventing further deteriorations in residential amenity.

23.4 The Article 4 Direction and Policy CP21 were not intended to provide a cap on the total number of HMOs, rather to prevent further over-concentrations in areas that already had a proliferation by encouraging a more even spread. The evidence set out in Appendix 1 indicated the policy as currently worded was effective in preventing further proliferation

of HMOs in areas of high concentrations. Planning policy could not however be applied retrospectively to reduce concentrations in areas with existing high levels of HMOs.

- 23.5 The threshold for refusing new HMOs in CP21 had been intentionally set at what was considered to be a relatively high level to reflect the sensitivity of a large proportion of the residential areas covered by the Article 4 Direction which were covered by high density terraced housing, the benchmarking exercise which had been carried out had indicated that the 10% within 50m threshold in Brighton and Hove was one of the most stringent. Extending the distance from the application property from 50m to 150m for the purposes of analysing the existing concentration of HMOs would be hard to justify. Properties at a greater distance away were less likely to be affected by any negative amenity impacts such as noise disturbance that could arise from the potential HMO. There might also be unintended consequences of extending the radius of the area considered from 50m to 150m. Applications currently refused due to there being over 10% HMOs within 50m could fall below the 10% threshold as a consequence of extra properties being included in the assessment of a wider 150m radius area. For example, a larger radius could include a flatted development several streets away, these were usually predominantly C3 residential units. This would make the grant of permission more likely even if the HMO concentration within the immediate 50m radius is above the threshold. The opposite effect may also occur however, and the overall effect on the number of applications granted is likely to be neutral and for that reason this approach was not recommended.
- 23.6 Councillor Morris noted the content of the report stating that in his view possible extensions in future should be given serious consideration.
- 23.7 Councillor Nemeth considered that consideration of percentage change overall had some merit and should be explored. It was explained that some changes could be effected as a result of the on-going consultation process and what form they might take would emerge as a result of that process.
- 23.8 Councillor DrUITT stated that he welcomed the report and the approach suggested which he considered to be sound.
- 23.9 Councillor Mears stated that she was in agreement that the suggested approach which sought to take account of the high density terraced housing which characterised some areas of the city represented a sensible approach.
- 23.10 **RESOLVED** – (1) That the Committee notes the contents of the report as a response to the matters raised, set out in paragraph 1.1 of the report, in particular;
- (2) That the City Plan Part One is not reviewed and that consequently the radius and % threshold relating to assessments of HMO concentration set out in Policy CP21 are not altered;
- (3) That the Committee support the inclusion of additional criteria (as described in paragraph 3.14 of the report) in a draft HMO policy in the Draft City Plan Part Two, due to go out to public consultation in summer 2018;

(4) That the process seek an extension of the Article 4 Direction Area is not commenced at the current time, but the situation be closely monitored.

24 REVISED LOCAL DEVELOPMENT SCHEME, 2014 – 2017

24.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture seeking approval to the revised Local Development Scheme (LDS). A three year work programme was detailed which set out the timetable for preparation of the set of documents that made up the development plan for Brighton and Hove and covered the period 2017 to 2020.

24.2 The contents of the report were noted and the recommendations set out in the report were agreed by the Committee without discussion.

24.3 **RESOLVED** – (1) That the Committee approves the revised Local Development Scheme 2017 – 2010; and

(2) Resolves that the scheme is to take effect from 21 September 2017.

25 MAJOR PROJECTS UPDATE

25.1 The Committee considered the content of the Major Projects Bulletin which set out updates in respect of major schemes in progress across the City including the Royal Pavilion Estate Brighton Waterfront, the King Alfred Development and Circus Street. It was noted that this information had been presented in a new format which it was hoped would aid understanding.

25.2 Councillor Morris noted that ticket sales for the 1360 had been less than had been projected and hoped that would not be negative in the longer term and that those figures would be published and would available in the public domain. Councillor Mears stated that she believed that information had been published and was easily accessible. Councillor Mears also welcomed the new format for this report which in her view made it easier to pick out the headline items.

25.3 Councillor Druitt welcomed the report stating that as it was received for information it always appeared at the foot of the agenda considering which was regrettable, requesting that thought be given to placing it higher on future agendas. The Executive Director, Economy, Environment & Culture confirmed that would be done.

25.4 **RESOLVED** – That the contents of the report be received and noted.

26 ITEMS REFERRED FOR FULL COUNCIL

26.1 It was noted and agreed that the following item needed to be referred to Full Council for approval:

Item 20 “Proposed Submission: Shoreham Harbour Joint Area Action Plan”.

The meeting concluded at 7.25pm

Signed

Chair

Dated this day of

Subject:	Water Fountains to Reduce Rubbish and Pollution – Petition: Extract from the proceedings of the Council Meeting held on the 2 November 2017
Date of Meeting:	16 November 2017
Report of:	Executive Lead for Strategy, Governance & Law
Contact Officer: Name:	Mark Wall Tel: 01273 291006
E-mail:	mark.wall@brighton-hove.gov.uk
Wards Affected:	All

FOR GENERAL RELEASE

Action Required of the Tourism, Development & Culture Committee

To receive the item referred from the Council for consideration.

Recommendations:

That further to the decision to consult on a preliminary charging schedule, the Committee consider whether water fountains should be included as an option in the BHCC regulation 123 infrastructure list, as part of health care infrastructure provision, to enable the Community Infrastructure Levy to be used as a possible means of funding water fountains.

BRIGHTON & HOVE CITY COUNCIL**COUNCIL****4.30PM 2 NOVEMBER 2017****COUNCIL CHAMBER, BRIGHTON TOWN HALL****DRAFT MINUTES**

Present: Councillors Marsh (Chair), Simson (Deputy Chair), Atkinson, Barford, Barnett, Bell, Bennett, Bewick, Brown, Cattell, Chapman, Cobb, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Hyde, Janio, Knight, Lewry, Littman, Mac Cafferty, Meadows, Mears, Miller, Mitchell, Moonan, Morgan, Morris, Nemeth, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Penn, Phillips, Robins, Russell-Moyle, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls, West and Yates.

32 PETITIONS FOR COUNCIL DEBATE**(a) WATER FOUNTAINS TO REDUCE RUBBISH AND POLLUTION**

- 32.1 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. She had been made aware of two such petitions and would therefore take each in turn.
- 32.2 The Mayor then invited Mr. Charles Cross as the lead petitioners to present the petition calling on the Council to look into the provision of drinking fountains capable of being used to fill bottles around the city, in order to reduce the excessive use of plastic in purchased water bottles:

“We the undersigned petition Brighton & Hove Council to provide research into a full costing for setting up 6 simple drinking “fountains” (taps) capable of being used to fill bottles around the town in order to attempt to reduce the excessive use of plastic in purchased water bottles and the consequent pollution and cost of rubbish disposal. Such a costing should take into account any savings from reduced rubbish as well as the construction and running costs of each fountain and could exact a small levy on supermarket rent and rates to contribute to the running costs.”

Additional Information

“In this way we can plan a future where no water is sold in bottles in Brighton and people carry a bottle knowing there are multiple water refill points throughout the city. The fountains could be made into more elaborate and ornamental structures through crowd funding which would add to the charm of the town and contribute to reduced litter in the streets, beaches and countryside.”

- 32.3 Mr. Cross thanked the Mayor and stated that over 2,600 people had signed the petition making it the 3rd highest in the council's history. He stated that there was a need for the city council to take a progressive step and follow other leading cities such as San Francisco in banning the sale of bottled water on city owned land and in city buildings and to provide water filling stations across the city. He suggested that other organisations such as super markets could be encouraged to locate the water fountains in their premises and noted that Borough Market in London had installed a water fountain. He therefore urged the council to give this matter due consideration.
- 32.4 The Mayor thanked Mr. Cross and noted that there were three amendments to the recommendation listed in the report on the petition. She therefore called on Councillor Morgan to respond to the petition and to move the amendment on behalf of the Labour & Co-operative Group.
- 32.5 Councillor Morgan thanked Mr. Cross for presenting the petition and stated that the amendment was to refer the matter to the Policy, Resources & Growth Committee rather than the Environment, Transport & Sustainability Committee. He agreed that there were environmental issues with the use of plastic water bottles and noted that the council had stopped using them at council meetings. He also noted that there were questions around the cost of provision and associated health matters in regard to the provision of water fountains but he was happy to request officers to bring a full report to committee in due course.
- 32.6 Councillor Moonan formerly seconded the amendment.
- 32.7 Councillor Wares moved an amendment on behalf of the Conservative Group and also welcomed the petition and stated that he would support both the Labour & Co-operative and Green Groups' amendments. He also noted that the issue had been raised previously at the Environment, Transport & Sustainability Committee in 2014 and hoped that some progress could be made this time.
- 32.8 Councillor Bell formerly seconded the amendment.
- 32.9 Councillor Mac Cafferty moved an amendment on behalf of the Green Group and stated that the use of the Community Infrastructure Levy should be considered as a means of financing the provision of fountains so that publicly accessible water could be provided. He noted that people were aware of the corrosive impact of plastic on the environment and that the provision of water fountains was one way of reducing the use of plastic bottles.
- 32.10 Councillor Druitt formerly seconded the amendment.
- 32.11 Councillor Morgan noted the comments and stated that it appeared councillors were in agreement about the general approach to the matter which could therefore be taken forward.

32.12 The Mayor noted that three amendments had been moved and stated that she would therefore take in each in turn and put them to the vote. The Mayor noted that all three amendments had been carried.

32.13 **RESOLVED:**

- (1) That the petition be noted and referred to the Policy, Resources & Growth Committee for consideration at its meeting on the 30th November, 2017;
- (2) That the Committee be requested to consider receiving a report on the costings requested in the petition as detailed in paragraph 3.1 and such report be extended to include advice on the public health risks associated with public drinking water fountains and taps and the measures to mitigate these risks that would also go to the costs; and
- (3) That a report be brought to the relevant committee exploring the proposals set out in the petition at paragraph 3.1; including the options for utilising the Community Infrastructure Levy as a possible means of funding and specifically, that further to the decision of the Tourism, Development & Culture Committee on the 21st September to consult on a preliminary charging schedule, that water fountains be considered for inclusion in the BHCC regulation 123 infrastructure list, as part of health care infrastructure provision.

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions have been received from Councillors and will be taken as read along with the written answer which will be included in an addendum that will be circulated at the meeting. A Member who asked a question may ask one relevant supplementary question which shall be put and answered without discussion.

(a) Councillor Nemeth

“With regard to the inclusion of the Royal Pavilion Gardens on Historic England’s ‘at risk’ register, will the Chairman explain why a spokesman for Brighton & Hove City Council made the following misleading statement?:

“Inclusion of the garden on the register is absolutely not a criticism of those responsible for it.”

As a reminder, Andrew Brown, planning director for Historic England in the South East, stated: *“To say it’s not a criticism is to push the interpretation of being on the register to its extremes. It’s not a straightforward criticism, but I would liken it to an amber light, to say if the council carries on the way it’s going at the moment, it’s going to harm the historic importance of the gardens. We’re not trying to police them but to flag up the fact it’s going in the wrong direction and to offer help.”*

Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.

(b) Councillor Nemeth

“Will the Chairman detail which sports clubs he has met with in his capacity of head of sports for Brighton & Hove (a) this year and (b) since the last TDC meeting?”

Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.

(c) Councillor Nemeth

“Will the Chairman provide an update on the planning enforcement situation at Marlborough House following the issue of recent enforcement notices, including that which expired on 6th November 2017.”

Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.

(d) Councillor Nemeth

“Will the Chairman detail his role in the recent decision by Brighton & Hove City Council to change tennis courts in Hove Park into football pitches?”

Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.

(e) Councillor Nemeth

“Will the Chairman provide the latest figures for open and pending planning enforcement cases for (a) August, (b) September, (c) October and (d) November?”

Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.

(f) Councillor Nemeth

“Will the Chairman give his thoughts on the impact of Brighton & Hove’s current fly-tipping epidemic on tourism and detail which other tourist towns/cities he has studied for innovative ways to tackle the issue?”

Reply from Councillor Robins, Chair of the Tourism Development & Culture Committee.

Subject:	Outdoor Events – Madeira Drive Road Closures 2018		
Date of Meeting:	Thursday 16th November 2017		
Report of:	Executive Director Economy, Environment & Culture		
Contact Officer:	Name:	Ian Shurrock	Tel: 292084
		Ian Taylor	
	Email:	ian.shurrock@brighton-hove.gov.uk	
		ian.taylor@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To seek approval from members for landlord's consent of the proposed programme of events on Madeira Drive in 2018 and the associated road closures.

2. RECOMMENDATIONS:

- 2.1 That the committee grants landlord's consent for the 2018 programme of events on Madeira Drive and the associated road closures as listed in Appendix 1.
- 2.2 That the committee authorises officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate.
- 2.3 That the committee authorises the Executive Director 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.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Madeira Drive is a very important venue for events in the city. The long heritage of events on Madeira Drive is reflected by most of the events listed in Appendix 1 having taken place at this location previously. The events draw residents and visitors to Madeira Drive which extends the Seafront offer both geographically (along from the main tourism area between the piers) and seasonally (by holding events throughout the year).
- 3.2 The closure of the Madeira Terraces has not resulted in a reduction in proposals for events on Madeira Drive. However, the safety fence adjacent to the Terraces has impacted upon the operational requirements of some events. The council is seeking a long term solution to replace the Madeira Terraces which are beyond repair. It will be important that this solution enhances Madeira Drive as an events venue and assists with the long term economic sustainability of the area.

3.3 **New Event**

Concorde 2 Music Event (Saturday 9th and Sunday 10th June)

- 3.4 Concorde 2, the music venue on Madeira Drive, has requested the partial use of Madeira Drive (between Peter Pans' playground and the bottom of Dukes Mound) to stage a two day outdoor music event. The event will have a capacity of 9000 people per day. The event would run from midday to 10pm each day and be fenced and ticketed. A commercial hire fee will be charged. The event is an electronic dance music event aimed at the 18 – 30 age group. The proposal from the organiser is included in Appendix 2.

4. **ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Not applicable

5. **COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Consultation will take place with Ward Councillors, Sussex Police, East Sussex Fire & Rescue Service, South East Coast Ambulance Service and NHS Trust. Internally, consultation will take place with the Seafront Office, Environmental Health & Licensing, City Parks, Civil Contingencies and Highways.
- 5.2 As this report is being considered well in advance of next year's programme to assist organisers, it has not been possible to include consultation responses in the report. A verbal update on the consultation responses will be given at the committee meeting.

6. **CONCLUSION**

- 6.1 Landlord's consent is required for the staging of all major outdoor events on council land within Brighton & Hove.
- 6.2 Events continue to form an increasingly significant part of the council's overall tourism strategy. As well as bringing substantial economic benefits to the city, people experience civic pride when major recreational, sporting and entertainment events take place in their locality. These help to bring regional and national recognition to the city as well as bringing significant economic benefits.

7. **FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

- 7.1 In accordance with the existing Outdoor Events policy, fees are charged for commercial events and any costs incurred are the responsibility of the organiser. In addition, a reinstatement deposit is usually held and evidence of adequate insurance cover is required. Small and medium sized events are charged according to a fees and charges matrix which will be agreed by this committee in January 2018. Fees charged for large scale events are determined by negotiation based on a number of factors including capacity, whether a new or established event, whether an admission fee is to be charged and infrastructure required; all of these are subject to agreement by officers as per the recommendations of this report.

- 7.2 The income generated from fees charged for commercial events on Madeira Drive contribute to the costs of the Outdoor Events Team and enables charitable and community events and free public entertainments to be supported at reduced rates across the city.

Finance Officer Consulted Rob Allen

Date: 01/11/17

Legal Implications:

- 7.3 The Council is empowered under the East Sussex Act 1981 to use Madeira Drive for up to 28 days a year in order to facilitate the staging of major outdoor events.
- 7.4 The proposals in this report are made in accordance with the Outdoor Events Policy. The terms of the agreements with the event organisers, the ongoing consultation process and the long lead-in periods should ensure that the events are safe and well managed and that disruption is kept to a minimum.
- 7.5 It is not considered that any adverse human rights implications arise from the recommendations of the report.

Lawyer Consulted: Hilary Woodward

Date: 23/10/17

Equalities Implications:

- 7.6 The Events programme caters for people from all sectors of the community as there is a diverse range of events that are staged in the city each year. Issues such as physical access to an event and designated viewing areas are developed and detailed in event plans where applicable.

Sustainability Implications:

- 7.7 All events are planned and staged in accordance with the statutory powers and planning obligations as set out in the Outdoor Events Policy.
- 7.8 The nature of outdoor events means that they often involve a range of potential sustainability impacts (both positive and negative) from travel, energy and water use, food, local economic and social impacts, use of outdoor spaces and production of waste. Through the Sustainable Events Programme, event organisers are supported to improve sustainability at their events, focusing on the areas with the highest potential impact.
- 7.9 The Sustainable Events Programme gained certification to the International Standard for Sustainable Events ISO 20121 in October 2013. The programme helps deliver visible sustainability initiatives, particularly around event waste recycling and encouraging people to use public transport. The Sustainable Events Programme contributes to the culture and community principle of the One Planet Sustainability Action Plan.

Any Other Significant Implications:

- 7.10 The City Safety Advisory Group has an overview of all the major events that take place in Brighton & Hove that have the potential to attract significantly large numbers of people. A protocol and good working partnerships between the council and emergency services are in place in the city and close agency working will be integral to both the planning and delivery of events.
- 7.11 Event specific Safety Advisory Groups can be convened for all major outdoor events taking place in Brighton & Hove that have the potential to attract significantly large numbers of people.
- 7.12 Sussex Police are involved in both the consultation and planning of all major events.

SUPPORTING DOCUMENTATION

Appendices:

- 1. Appendix 1 – Madeira Drive road closures 2018
- 2. Appendix 2 – Concorde 2 Music Event

Documents in Members' Rooms

None

EVENTS – MADEIRA DRIVE**Events requiring the closure of Madeira Drive 2018**

DATE	EVENT	CLOSURE	ATTENDANCE
Sunday 25 th February	Brighton & Hove Half Marathon	Sat 06:00 LP9 (lamp-post)-LP20 Sun Aquarium to Black Rock 04:00-18:00	15,000
Sunday 18 th March	Pioneer Motorcycle Run	Aquarium to Black Rock 06:00-18:00	15,000
Sunday 15 th April	Brighton Marathon	Fri/Sat LP8-LP20 from 05:00 Sun Aquarium to Black Rock 03:00-22:00	40,000
Saturday 21 st April	InCarNation	Aquarium to Black Rock 05:00 – 18:00	5,000
Saturday 5 th May	Children's Parade	Aquarium to base of Duke's Mound 06:00- 15:00	20,000
Sunday 6 th May	Historic Commercial Vehicle Run	Aquarium to Black Rock 06:00-19:00	5,000
Sunday 20 th May	Mini Owners Rally	Aquarium to Black Rock 06:00 – 18:00 hrs	10,000
Sunday 3 rd June	Classic Car Run	Aquarium to Base of Dukes Mound 06:00 – 18:00	2,500
Saturday 9 th and Sunday 10 th June	Concorde 2 Event (See 3.3.1)	LP 16 to base of Dukes Mound. Times TBA	9,000 daily
Sunday 17 th June	British Heart Foundation's London to Brighton Bike Ride	LP7-LP20 Sat 06:00-Sun 04:00 Aquarium to Black Rock, Sun 04:00-22:30	50,000
Saturday 1 st September	Speed Trials	Aquarium to Black Rock 05.00 – 22:00	10,000
Sunday 9 th September	Ace Café Reunion	Aquarium to Black Rock 05.00 – 22:00	20,000
Sunday 16 th September	Do it for Charity London to Brighton cycle event	Base of Duke's Mound to Black Rock 06:00 – 19:30	3,000
Saturday 6 th October	Brighton Breeze	Aquarium to Black Rock 06:00-18:00	6,000
TBC	Landrover Run	Aquarium to Black Rock 06:00-18:00	3,500
Sunday 14 th October	Brightona	Aquarium to Black Rock 06:00 – 20:00	5,000

Sunday 4 th November	Veteran Car Run	4 th Nov : LP 8 -12 06:00 – 23:59 5 th Nov: Aquarium to Black Rock 05:00-00:00	10,000
Sunday 18 th November	10K Road Race	Aquarium to Black Rock 06.00 -13:00	5,000
Friday 21 st December	Burning the Clocks	Aquarium to base of Duke's Mound 16:00-21:00	20,000

THIS LIST IS SUBJECT TO CHANGE

PROPOSAL, OCTOBER 2017

35 **MADIERA DRIVE, BRIGHTON**
SATURDAY 9TH & SUNDAY 10TH JUNE 2018



INTRODUCTION

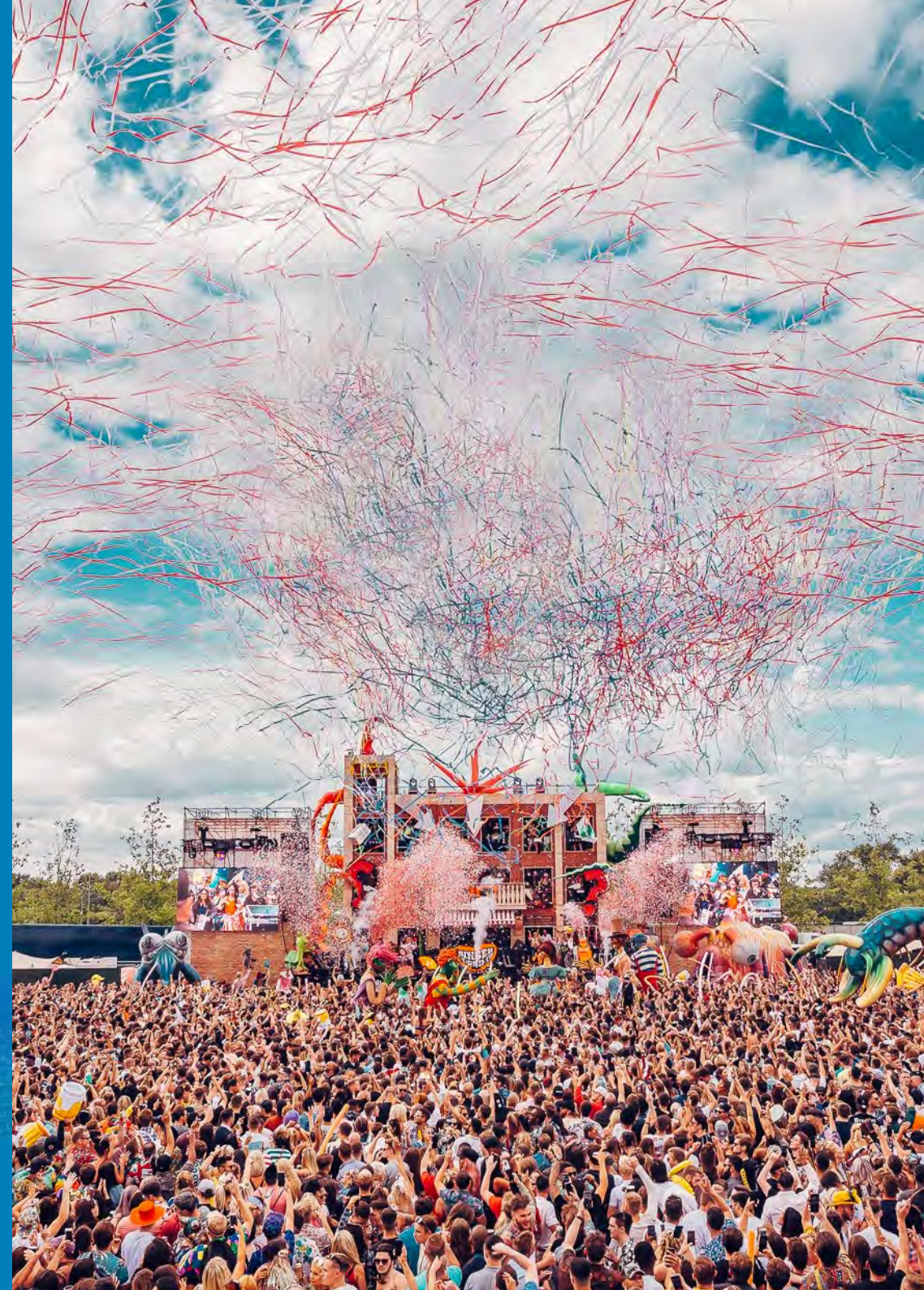
Brighton is one of the most desirable and culturally diverse cities in the UK, which has been host to a raft of iconic shows. Having identified a gap in the market for an event of this nature in Brighton, our aim is to deliver an annual event which furthers the cities notoriety for delivering diverse cultural experiences.

Brighton already hosts its own Fringe Festival (theatre & performing arts), Pride (celebration of LGBT culture), The Great Escape (live music in venues across the city) and Soundwaves (classical music) however nothing which capitalises on the cities unique and historical back drop Madeira Drive.

Madeira Drive is synonymous with Brighton and not content with purely using it as our back drop, our expectation is for National & International press to quickly jump on the momentum of this project, which in turn would increase awareness of the 'Save Madeira Terraces' campaign, a project we are keen to support. We would like guests to give a set fee to this charity on entry which will generate thousands for this worthy cause.

Our mission is to create an internationally recognised event for Brighton which residents can be proud of and feel connected to.

We will work with local nightclubs and late night bars to program official after parties. This enables us to have effective crowd disbursement following the event as well as providing further revenue to the local economy.





ABOUT LWE

LWE are the UK's largest independent electronic music promoters and operators, who specialise in holding events in unique locations with event capacities ranging from 1,000 to 20,000. Refusing to be pigeonholed to one style of music or event, LWE's versatility is held together by operational excellence and a creative mindset, they promote & produce every aspect of their events to make sure the level of detail is always adhered to.

Unique in the fact that they are not only promoters but also a production company, LWE have added other outlets to their portfolio including their own in house ticketing system, a bespoke locker system to replace traditional event cloakrooms & they created and manufactured two custom built stages, The Warehouse & The Hex.

USPs

- Specialising in transforming blank canvas venues to suit different event requirements.
- Priding themselves on their operational excellence and the smooth running of their shows, which has been demonstrated across the events at Printworks London, Tobacco Dock & Junction 2.
- A proven track record of community consultation, outreach and working to ensure a minimum impact on the local residents.
- Delivering successful brand activations for partners including: Red Bull, Jose Cuervo, Jagermiester, Pimms, Ciroc, Relentless, Penguin, Beats by Dre and more.
- Strong influencers of the youth markets. Their musical diversity means they have ability to target a wide ranging demographic of people, mainly aged between 18-35.

KEY PROJECTS

- Exclusive music promoters, producers & operators for Tobacco Dock in Wapping.
- Exclusive music promoters, producers & operators for Printworks in Canada Water.
- Owners, promoters, producers & operators of Junction 2 festival in Boston Manor Park in Hounslow.
- Promoters for elrow Town festival at Queen Elizabeth Park, London
- Managers of Arcadia Spectacular, best known for their fire-breathing Spider stage at Glastonbury.



ABOUT CONCORDE 2

Concorde2 is Brighton's multi-award winning venue. Nationally recognised as one of the UK's leading live music venues & nightclubs. Concorde2 has played host to a continuously diverse cross section of events for over 20 years on Brighton's iconic Madeira Drive.

Boasting state of the art L-Acoustics sound and lighting systems, the 600 capacity Concorde2 is a classic Victorian building, originally used as tea rooms in the 1800's. In the 1960's it became a notorious biker's cafe and in the 1970's an amusement arcade, before it was eventually transformed into its current glory in 2000. We take pride in the reputation we have built as a friendly, welcoming and professional venue

Described as 'the perfect venue' by Dave Grohl whilst on-stage in 2008, the venue strives to provide a platform for artists of all genres & status by providing a high quality, intimate surrounding whilst delivering an energetic and unforgettable environment for the audience.

It's not just the live music that has whet the appetites of thousands of happy audiences over the years, but also some of the biggest DJs & producers on the planet. Known as the original home to Fatboy Slims 'Big Beat Boutique' during the 90's; Concorde has become synonymous around the world with high quality and progressive clubbing.



PROPOSED EVENT INFORMATION

DATES & EVENT TIMES

Saturday 9th June 2018 - 12.00pm - 10.00pm

Sunday 10th June 2018 - 12.00pm - 10.00pm

CAPACITY

7,500 - 9,000 per day depending on final fire exit calculations.

TARGET DEMOGRAPHIC

18 - 45 years olds, a wide variety of people due to the heritage of the suggested acts.

MUSIC POLICY

We will bring a musical line up that will be as colourful and cool as Brighton beach front itself! Two days of different music, both rooted in the electronic world that are credible with the press yet still broad enough to have universal appeal. We will avoid musical genres that could attract a less desirable crowd and focus on high profile acts with a strong following.

We are currently in early discussions with Annie Mac to host one day and Carl Cox to host the other.





LOCATION

Madeira Drive, Brighton, BN1

TRAVEL

- Brighton train station is 25-30 mins walk from Madeira Drive.
- We will also look to put a taxi rank on Marine Parade for those who would prefer to get a taxi to the train station.
- We would also look to operate shuttle buses should we feel the demand is there.
- Trains run at 22.33 / 22.55 / 23.05 / 23.08 / 23.37 / 00.10 and a few later ones.

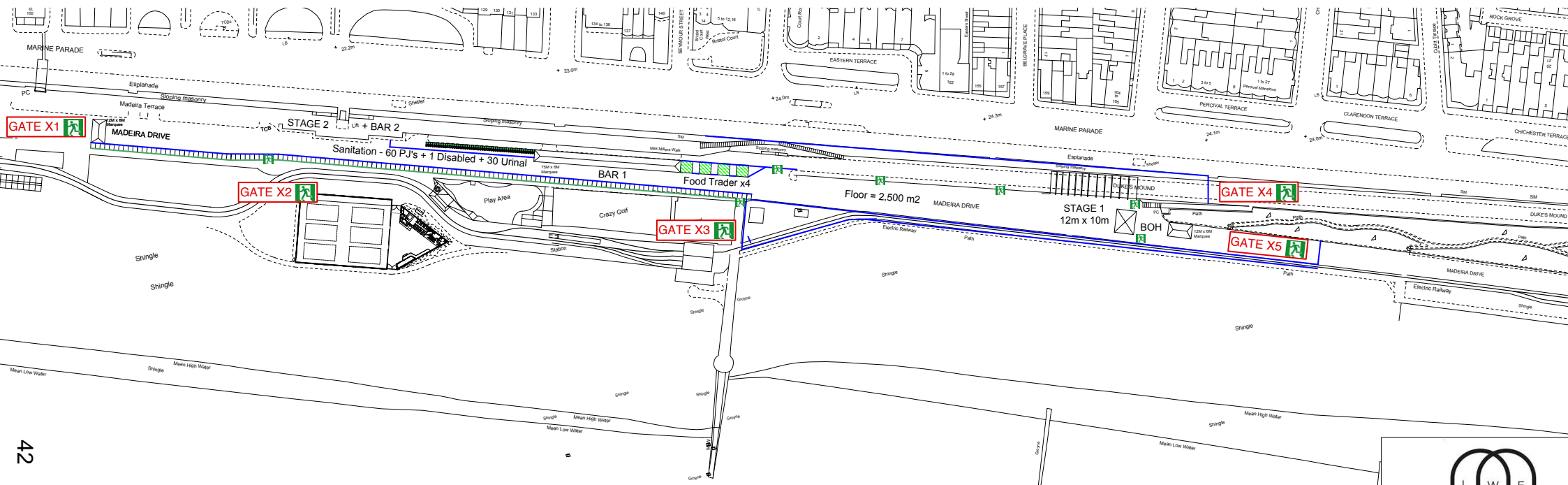
OPERATIONAL & PRODUCTION OVERVIEW

- 3 days build (starting on Wednesday 6th June at 7am / 8am).
- 2 days show.
- 2 days break (finishing on Tuesday 12th June at 7pm / 8pm).
- On site hours from 8am - 9pm
- Gate X1 would be the entrance for ticket holders and guests.
- Blue is heras fencing.
- Green is high hoard / steel shield - solid, high walled site fencing.
- There would be 2 stages of music.
- 41 • There would be 2 - 3 bars (we have marked 2 on the site plan at the moment).
- Peak ingress would be from 3.00pm - 5.00pm
- Peak egress would be from 9.30pm - 11.00pm
- We would put stewards and security along the beach and Marine Parade, as well as inside the event.
- We would create a robust traffic management plan.



KEY

- Hedge Fencing
- H1 Hoarding
- Toilet



1 Madeira Terrace Event
Scale: 1:2000



Production Company	LWE
Production Manager	Loz Poulton
Technical Coordinator	
Project	Brighton Event
Venue	Madeira Terrace
Stage	
Drawing Title	Madeira Terrace Event
Designed by	Loz Poulton
Drawn by	Loz Poulton
Scale	DNS
Revision	1
Date	17/9/18

SITE PLAN



OPERATIONAL & PRODUCTION OVERVIEW

A large percentage of each event's budget would be dedicated to operational costs which include:

SIGNAGE

Clear, neat signposts directing customers to the venue and back, as well as extensive internal signage system enabling successful crowd control within the venue.

SECURITY & STEWARDING

LWE works closely with the security contractor to ensure the highest standards are always delivered. Numbers of deployed staff would always exceed industry recommended staffing levels.

MEDICAL & WELFARE

A dedicated, industry experienced medical team is always present at every LWE event providing both welfare and support as well as wide range of medical assistance. Ambulances are deployed whenever needed.

CROWD CONTROL & SAFETY

Extensive planning of effective crowd control using in & out systems within the venue as well as involvement of event H&S specialists to consult. We will operate a no re-entry policy at all events which means that the only time the customers are outside of the venue is during ingress and egress.



OPERATIONAL & PRODUCTION OVERVIEW

SPEED & QUALITY OF SERVICE

Sufficient provision of bars and servers ensuring no queues, cashless system on site (TBC) providing speed of service and transaction clarity

LOCAL RESIDENTS

We will respect the local residents and always plan for the minimum impact. We will:

- Provide external toilets.
- Provide multiple event stewards directing customers, preventing loitering and liaising with residents.
- Provide an external cleaning team throughout the event.
- Provide "Please respect the area" signage along the route.
- Distribute a resident's letter ahead of the event providing all the details as well as emergency phone number to get in touch with the organiser during the event.

SOUND

LWE sound policy has three main objectives:

- Adhering to noise levels specified by venue license.
- Minimising the noise pollution in the area, whilst;
- Providing excellent sound levels to event customers and artists within the venue.

LWE also works closely with an independent noise consultant in the run up to as well as during the event to continuously improve the sound quality and respond immediately to any potential complaints. With very minimal number of complaints received over the years and great feedback on sound from event goers, LWE is confident that the above objectives are fulfilled for each of their projects.





45

CUSTOMER COMMENTS FROM JUNCTION 2 FESTIVAL

“Pure class. Didn’t think they could top last year but it did. Couldn’t fault the organisation; smooth entrance, never had to wait for a drink, heaps of space, unique setting, super line up, sound system to match. Cannot say enough good things about this place. Festival organisers take note! This is how you do it!”

“Amazing event and exceptionally organised! There hasn’t been an event that I have been to that LWE has not done well.”

“It’s hard to find fault. Superb organisation, great acts, quality over quantity, great sound, production, weather, reasonable priced food...”



LOCAL BENEFITS

- Increased revenue for the local shops.
- Increased room bookings for the local hotels.
- Increased table bookings for the local restaurants.
- Possibilities for local food traders to have pitches to sell at the event.
- Increased awareness for 'Save Madeira Terraces' campaign.

Subject:	Events in Parks and Open Spaces 2018		
Date of Meeting:	Thursday 16th November 2017		
Report of:	Executive Director – Economy, Environment & Culture		
Contact Officer:	Name:	Ian Shurrock	Tel: 292084
		Ian Taylor	
	Email:	ian.shurrock@brighton-hove.gov.uk	
		ian.taylor@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To seek approval from members for landlord's consent for the proposed programme of events in parks and open spaces in 2018.

2. RECOMMENDATIONS:

- 2.1 That the committee grants landlord's consent for the events listed in Appendix 1.
- 2.2 That the committee authorises the Head of Sport & Leisure to seek applications to stage "The Big Screen" and to determine the event organiser to whom consent should be granted.
- 2.3 That the committee authorises officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate.
- 2.4 That the committee authorises the Executive Director 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.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Many of the events listed in Appendix 1 have taken place before and retain their traditional place in the calendar of outdoor events. The council has licensed a range of parks and open spaces including the Old Steine, Hove Lawns, the Seafront and Stanmer Park to hold events, however, a balanced approach is required to prevent overuse of these areas. The events in Stanmer Park will depend upon the implementation of the Stanmer Park restoration project which is due to commence on site towards the end of next year. Appendix 1 shows the range of spaces and sites where events are proposed to take place. Several new or amended event applications for 2018 have been received and a summary of these is outlined in 3.3 below.

3.2 Outdoor events play a major role in the city as a leisure destination and therefore contribute significantly to the economic impact that tourism brings to the city. The latest economic impact assessment values the contribution of tourism to the city's economy at £830m per year which supports 21,700 jobs (15,900 full time equivalents). The economic impact of events staged in the city is largely through hotel, leisure and retail spend.

3.3 **New & Amended Events**

3.3.1 **B.Right On – LGBT History Month (Friday 16th February – Saturday 3rd March. Victoria Gardens)**

This event took place for the first time in 2017. Featuring a broad range of LGBT events it was well received and attended. There were concerns over the effect on the early Spring planting on the chosen venue – New Steine Gardens – so the organisers have requested a move to Victoria Gardens to remove these concerns

3.3.2 **The Big Cheese Festival (Saturday 3rd March. Hove Lawns)**

This would be a new event for Hove Lawns. The event will feature the finest international cheese makers and mongers showcasing their amazing cheeses. Ticket holders will be able to enjoy a food court and sample a selection of hot delicacies. As well as cheese, ticket holders will be able to enjoy a range of bars serving craft beers, liquor and wine, plus entertainment throughout. Experts will be on hand to break down the art of wine and cheese pairing. It is marketed as “the ultimate event for wine and cheese lovers alike”. The festival will run between the hours of 10AM-6PM, and tickets will be priced between £17.50 and £20.00 depending on the stage of release. A commercial hire fee will be charged for the use of Hove Lawns.

3.3.3 **Big Screen - Football Fan Zone (Thursday 14th June – Sunday 15th July. Brighton Beach, Madeira Drive)**

The events office has received several proposals and expressions of interest from different organisations to stage a fan zone for the 2018 football world cup. It is therefore appropriate for the council to advertise the opportunity and seek applications for the delivery of this event through a fair and transparent process which should also provide best value for the council.

The intention is to advertise to see if the provision of a big screen for three years can be achieved, rather than solely advertise for one year in which the football world cup is taking place and could be deemed a premium year.

3.3.4 Prosecco Fest (Saturday 7th and Sunday 8th July. The Level)

The Big Prosecco Festival would be a new event at the Level, having previously taken place in commercial venues in the city. The event will include over 50 different varieties of Prosecco to taste, the finest Italian food to sample and small scale entertainment. This will be a ticket only event with prices ranging from £15 (EarlyBird) to £35 (VIP). The event will run in two controlled timed slots, an afternoon session 12pm - 5pm, and an evening session 6pm-11pm. A commercial hire fee will be charged for the use of The Level.

3.3.5 5.30 Run (Friday 20th July. New Road, City Centre, seafront)

5.30 Brighton is a 5k run/walk within the city centre at 5.30am during a business day, which promotes a healthy lifestyle through exercise and eating well. At the end of the 5k event participants will enjoy a locally sourced breakfast with fresh fruits before heading home or to work. The concept was brought from Italy to Brighton in 2017.

5.30 encourages positive emotions and aims to improve the quality of life of its participants by:

- increasing their awareness of the benefits of daily exercise and eating healthy foods;
- showing them that an earlier start of the day allows them to fit in exercise without impacting on their working day;
- allowing them to experience the city in a brand new light;

The route will take place under a rolling road closure and be New Road, North St, Ship St, Lower Promenade, East Street, Pavilion Gardens, New Road.

3.3.6 Pride

The organisers of Pride are currently developing a proposal for a second day of entertainment in Preston Park. The day is intended to be a more family friendly event featuring main stage bands. If such a proposal is received, the proposal will be reviewed and due consideration given to the consent required for a second day to take place.

3.3.7 Oktober Fest (Thursday 11th October – Saturday 13th October. The Level)

Brighton Oktoberfest have requested a return to The Level in 2018, having first visited in October 2017. Bavarian produced beers and food themed around the celebration of the reunification of Germany are accompanied by oompah bands and drinking songs, with long trestle table style seating present a very traditional Bavarian Beer Festival.

The event will be ticketed and fenced. It will run between 6pm and 11pm on Thursday and Friday and Midday to 11pm on Saturday. The capacity will be slightly reduced (to approximately 2500) from 2017 to ensure that the entire event is contained within the northern quadrant of The Level and that all pathways are kept clear.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Not applicable

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Consultation will take place with Ward Councillors, Sussex Police, East Sussex Fire & Rescue Service, South East Coast Ambulance Service, NHS Trust, Environmental Health & Licensing, City Parks, Civil Contingencies and Highways. Detailed consultation will also follow as the events are developed between the respective event organiser and our partner agencies.
- 5.2 As this report is being considered well in advance of next year's programme to assist organisers, it has not been possible to include consultation responses in the report. A verbal update on the consultation responses will be given at the committee meeting.

6. CONCLUSION

- 6.1 Landlord's consent is required for the staging of all major outdoor events on council land in Brighton and Hove.
- 6.2 Events continue to form an increasingly significant part of the council's overall tourism strategy. As well as bringing substantial economic benefits to the city, people experience civic pride when major recreational, sporting and entertainment events take place in their locality. These help to bring regional and national recognition to the city as well as bringing significant economic benefits.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 In accordance with the existing Outdoor Events policy, fees are charged for commercial events and any costs incurred are the responsibility of the organiser. In addition, a reinstatement deposit is usually held and evidence of adequate insurance cover is required. Small and medium sized events are charged according to a fees and charges matrix which will be agreed by this committee in January 2018. Fees charged for large scale events are determined by negotiation based on a number of factors including capacity, whether a new or established event, whether an admission fee is to be charged and infrastructure required; all of these are subject to agreement by officers as per the recommendations of this report.
- 7.2 The income generated from fees charged for commercial events in parks and open spaces contribute to the costs of the Outdoor Events Team and enables charitable and community events and free public entertainments to be supported at reduced rates across the city.

Finance Officer Consulted: Rob Allen

Date: 01/11/17

Legal Implications:

- 7.3 Brighton & Hove City Council is empowered under the East Sussex Act 1981 to close “parks and pleasure grounds” in its area for up to 28 days a year in order to facilitate the staging of major outdoor events. As the events are transient in nature it is unlikely that “development” involving the need for a planning application would arise but in any event permitted development rights may apply, notably under Class B Part 4 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 allowing “the use of any land for any purpose for not more than 28 days in total in any calendar year...and the provision on the land of any moveable structure for the purposes of the permitted use”.

Should any event require road closures or certain other traffic management measures a traffic regulation order under the provisions of the Road Traffic Regulation Act 1984 or the Town Police Clauses Act 1847 would be required.

- 7.4 It is not considered that any adverse human rights implications arise from the recommendations in the report.

Lawyer Consulted Hilary Woodward Date: 23/10/17

Equalities Implications:

- 7.5 The Events Programme caters for people from all sectors of the community as there are a diverse range of events that are staged in the city each year. Issues such as physical access to an event and designated viewing areas are developed and detailed in event plans where applicable.

Sustainability Implications:

- 7.6 All events are planned and staged in accordance with the statutory powers and planning obligations as set out in the Outdoor Events Policy.
- 7.7 The nature of outdoor events means that they often involve a range of potential sustainability impacts (both positive and negative) from travel, energy and water use, food, local economic and social impacts, use of outdoor spaces and production of waste. Through the Sustainable Events Programme, event organisers are supported to improve sustainability at their events, focusing on the areas with the highest potential impact.
- 7.8 The Sustainable Events Programme also meets the requirements of the British Standard for Sustainable Events that was developed for the London 2012 Games and helped them deliver a highly visible sustainability programme, particularly around event waste recycling and encouraging people to use public transport. The standard was superseded by the International Standard ISO 20121 and the council’s programme is being amended to meet the requirements of the new standard and help the council continually improve its engagement with event organisers to improve sustainability. The Sustainable Events Programme contributes to the Culture and Community Principle of the One Planet Sustainability Action Plan.

Any Other Significant Implications:

- 7.9 The City Safety Advisory Group has an overview of all the events that take place in Brighton and Hove that have the potential to attract significantly large numbers of people. A protocol and good working partnerships between the council and emergency services are in place in the city and close agency working will be integral to both the planning and delivery of these events.
- 7.10 Event specific Safety Advisory Groups can be convened for all major outdoor events taking place in Brighton and Hove that have the potential to attract significantly large numbers of people.
- 7.11 Sussex Police are involved in the consultation and planning of all major events.

SUPPORTING DOCUMENTATION

Appendices:

- 1. List of proposed outdoor events in parks and open spaces for 2018.

Documents in Members' Rooms

None

Background Documents

None

EVENTS – PARKS AND OPEN SPACES**Events requiring the use of parks and open spaces in Brighton & Hove 2018**

DATE	EVENT	VENUE	TIMES	ATTENDANCE
Friday 16 th February – Saturday 3 rd March	B.Right On - LGBT History Month (See 3.3.1)	Victoria Gardens	10.00 – 00.00	500 daily
Saturday 3 rd March	The Big Cheese Festival (See 3.3.2)	Hove Lawns	10.00 – 18.00	3,000
Saturday 14 th April	Mini Mile Races	Preston Park	10.00 – 16.00	3,000
Sunday 15 th April	Brighton Marathon	Preston Park	08.00 – 12.00	15,000
Thursday 3 rd May – Sunday 13 th May	Festival Funfair	The Level	13.00 daily	10,000
Thursday 3 rd May – Sunday 3 rd June	Spiegel tent	Old Steine	Various	1500 capacity
Thursday 3 rd May – Sunday 3 rd June	Ladyboys of Bangkok	Victoria Gardens	Various	800 capacity
Friday 4 th May – Sunday 3 rd June	The Warren @ St Peter's	St Peter's north lawn	Various	1000 capacity
Saturday 5 th – Monday 7 th May	Foodies Festival	Hove Lawns	10.00 – 18.00 daily	10,000
Saturday 5 th May	Festival Children's Parade	City Centre	07.00 – 16.00	5,000
TBC	Brighton Festival	Various	Various	
5 th & 6 th , 12 th & 13 th , 19 th & 20 th , 26 th & 27 th May, 2 nd June	Fringe City	New Road	11.00 – 18.00 daily 13.00 – 11pm Approx (Sat 19 th May only)	10,000 daily
Thursday 10 th – Sunday 20 th May	Moscow State Circus	Preston Park	Various	2000 capacity
Saturday 12 th May	Spring Festival	St Ann's Well Gardens	11.00 – 19.00	8,000
Sunday 13 th May	RISE Heroes Run	Hove Lawns/Prom	11.00 – 14.00	1,500
Thursday 17 th May – Sunday 20 th May	Funfair	Victoria Recreation Ground, Portslade	13.00 Daily	2,000
Saturday 19 th May	Bubble Rush	Hove Park	11.00 – 17.00	3,000
Monday 28 th May	Hove Carnival	Hove Park	12.00 – 18.00	4,000
Saturday 2 nd – 3 rd June	Brighton Vegan Summer Fest	The Level	10.00 – 17.00	2,000
Sunday 3 rd June	Brighton Bed Centre Classic Car Show & Concours	Hove Park	09.30 – 16.00	1,000
Thursday 14 th June – Saturday 15 th July	Big Screen/ World Cup Fan Zone (See 3.3.3)	Brighton Beach, Madeira Drive	TBA	TBA
Friday 15 th June	Go Girl	Hove Lawns	19.30 – 00.00	2,000

Saturday 16 th & Sunday 17 th June	Funk the Family Festival	Hove Park	11.00 – 20.00 (Sat) 12.00 – 21.00 (Sun)	3,000
Saturday 16 th June	Rottingdean Lions Fayre	Rottingdean Village Gn & Kipling Gdns	07.30 – 19.00	1,500
Saturday 23 rd June	Take Part Sport Festival	Preston Park	10.00 – 17.00	5,000
Saturday 30 th June & Sunday 1 st July	Race for Life/Pretty Muddy	Stanmer Park	10.00 – 16.00	5,000
Saturday 7 th & Sunday 8 th July	Paddle Round The Pier	Hove Lawns	10.00 – 19.00 daily	10,000
Saturday 7 th & Sunday 8 th July	Prosecco Fest (See 3.3.4)	The Level	12.00 – 11.00	2,000
Saturday 7 th & Sunday 8 th July	Brighton Kite Festival	Stanmer Park	10.00 – 17.00 daily	6,000
Wednesday 11 th July	Brighton Phoenix 10k Run	Hove Promenade and Hove Lawns	19.30 – 21.00	700
Saturday 14 th July	Martlets KAPOW	Preston Park	11.00 – 14.00	850
Saturday 14 th July	Lions Saltdean Gala Day	Saltdean Oval	07.30 – 19.00	2,000
Saturday 14 th July	RSPCA Open Day	Braypool Sports Field	10.00 – 17.30	5,000
Friday 20 July	5.30 Run (See 3.3.5)	City Centre	05.30 – 07.00	1,000
Saturday 29 th July	Pride Community Day	Preston Park	11.30 – 16.30	2,000
Saturday 4 th August	Pride (See 3.3.6)	Preston Park	12.00 – 22.00	40,000
Saturday 11 th August	Big Dog	Stanmer Park	10.00 – 17.00	2,000
Saturday 18 th August & Sunday 19 th August	Thai Festival	Preston Park	10.00 – 17.00	5,000
Thursday 23 rd August – Sunday 2 nd September	Zippos Circus	Hove No.1 Lawn	Various	800 capacity
Saturday 15 th – Sunday 16 th September	Brighton International Triathlon	Seafront / Hove Lawns	10.00 – 16.00	10,000
TBC	Funfair	The Level	13.00 daily	10,000
Saturday 22 nd September	BHF London to Brighton off road bike ride	Hove Lawns	08.30 – 22.00	2,500
Saturday 29 th September	Boundary Festival	Stanmer Park	12.00 – 22.30	15,000
TBC	Apple Day	Stanmer Park	11.00 – 17.00	8000
Sunday 7 th October	Brighton & Hove 10 Mile Road Race	Hove Lawns/City Centre	09.00 – 11.30	4,000
Thursday 11 th October – Saturday 13 th October	Oktober Fest (See 3.3.7)	The Level	19.00 – 23.00 (Thurs & Fri) 12.00 – 23.00 (Sat)	2500 capacity
Sunday 14 th October	Rise 8K Undercliff Run for Women	Seafront (Saltdean)	10.00 – 13.00	500

Sunday 21 st October	Hove Prom 10K	Hove Lawns	10.00 – 12.30	500
Saturday 3 rd November	Coles Fireworks	Preston Park	17.00 – 10.00	3,000
Saturday 3 rd November	Family Fireworks Spectacular	Nevill Recreation Ground	17.00 – 19.30	6,000
Friday 21 st December	Burning the Clocks	City Centre	16.00 – 21.00	20,000

Major Projects Bulletin

November 2017

Royal Pavilion Estate



Proposed scheme

Background

Heritage Centre Stage is a bold and significant initiative by the Royal Pavilion & Museums (RPM) and Brighton Dome & Festival Ltd (BDBF) to reunite the historic Royal Pavilion Estate. Phase 1 of this ambitious regeneration of the Royal Pavilion Estate (RPE) will deliver a major restoration of the nationally important Grade I listed Corn Exchange & Grade II listed Studio Theatre to enhance audience comfort & help the building operate more efficiently. This will include significant structural improvements that rationalise operations and drive increased revenue surpluses in order to deliver against BDBF's ambitious business plan. Achievement of this plan is central to our vision for the Royal Pavilion Estate and its future contribution to the cultural and economic wellbeing of Brighton & Hove.

Key Facts

Current stage: Phase 1 (Corn Exchange & Studio Theatre) started on site February 2017

Partners: Brighton & Hove City Council, Brighton Dome & Brighton Festival, Arts Council England, Heritage Lottery Fund and Coast to Capital LEP

Architects: Feilden Clegg Bradley Studios

Estimated project value: £21.5M

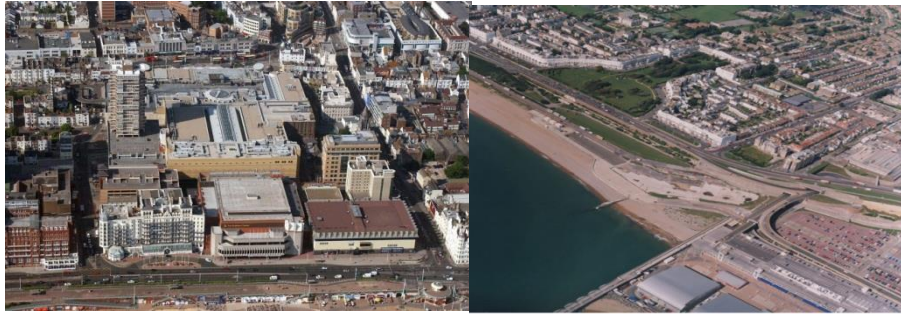
What happened in the last period?

- Strip out of buildings and completion of all Part Wall Awards
- Excavation and construction of new Corn Exchange basement and ground floor slab
- Gallery area: removal of human remains; pouring foundations; install steel frame

What's going to happen in the next period?

- Removal and replacement of Corn Exchange roof
- Installation of new Air Handling Units on Dome roof
- Construction of new Gallery building

Brighton Waterfront



The Brighton Centre and Churchill Square

Black Rock

Background

We're finalising details of a legal agreement which will deliver a major new conferencing and events venue for Brighton & Hove on the Black Rock site next to the Marina and an expansion of Churchill Square shopping centre.

Key Facts

Current stage:

Legal and commercial negotiations

Partners:

Brighton & Hove City Council and Standard Life Aberdeen

Architects:

ACME Space, David Leonard Associates (central site)

Estimated project value: c£540M

Outputs:

- 2,000 jobs
- New venue & conference centre
- Improve & expanded destination shopping
- Improved public realm
- Housing and office space

What happened in the last period?

- Update to Strategic Delivery Board 26th September

What's going to happen in the next period?

- Legal and commercial discussions to enter into a Conditional Land Acquisition Agreement are progressing to a target of December 2017.

King Alfred Development



Proposed Scheme

Current King Alfred Leisure Centre

Background

In 2014 the Council embarked on a procurement exercise to bring about the comprehensive redevelopment of the 1.8 hectare King Alfred site. The primary objective is to replace the outdated Leisure Centre with improved, extended, and modern sports facilities as part of a major mixed-use enabling development, the principal element of which is much needed new homes. Having completed an extensive 'Competitive Dialogue' process with two shortlisted bidders in 2015, the Council selected its preferred bidder in January 2016.

Key Facts

Current stage:

Crest Nicholson in partnership with the Starr Trust, a local charity, were appointed preferred bidder in January 2016. Since that time the partners have worked hard to progress the legal, financial, and contractual arrangements, work on which is ongoing.

Partners:

Brighton & Hove City Council, Crest Nicholson & the Starr Trust

Architects:

LA Architects – Sports centre and Haworth Tompkins – Wider scheme and master plan

Estimated project value: c£200M

Outputs:

- New sports centre of c12,000 M²
- 560 homes (20% affordable)
- Commercial/retail space
- Community and public space

What happened in the last period?

- Continued partner discussions on financial and legal matters
- Bid to Housing Infrastructure Fund (HIF) prepared during September
- Bid for HIF funding submitted to Department for Communities and Local Government on 28th September

What's going to happen in the next period?

- Progression of contractual arrangements while awaiting the outcome of the HIF bid
- DCLG HIF funding announcement expected early in new year

Circus Street



The scheme designs

Background

The former municipal fruit and veg market will become a mixed-use scheme and 'innovation quarter'. The site, approximately a hectare in area, housed the former Municipal Market building, a university building and a car park. Following the decision by the University of Brighton in 2016 to place its plans for a new academic building 'on hold' a revised land deal was agreed between U+I (the developer) the council and the university in 2017, leading to a revised development agreement involving the council and the university and the commencement of construction in summer 2017 of all elements of the development bar the university building. The university intends to develop facilities to meet its needs at a future date.

Key Facts

Current stage: Construction work is underway

Partners: Cathedral (Brighton (U & I plc), SE Dance and Coast to Capital LEP

Architects: ShedKM

Estimated project value: c£105M

Outputs:

- 232 jobs
- 142 homes
- 2,046 M² Commercial
- 450 Student beds
- Dance Studio
- University Facilities

What happened in the last period?

- Commencement of piling on site.
- Demolition of former University of Brighton Annex building.

What's going to happen in the next period?

- Construction to continue on-site, with most elements of development scheduled for completion in late 2019 and overall scheme (bar UoB element) to be completed May 2020

Preston Barracks & University of Brighton



The proposed scheme

Background

The redevelopment of the Preston Barracks site took a significant step forward in July 2014 when the council exchanged contracts with the University of Brighton and developers U+I Plc. The £150 million Preston Barracks scheme on the Lewes Road is part of a wider regeneration project aimed at transforming this part of Brighton and bringing forward a mixed use development.

The scheme will create a Northern gateway in to the city, and support entrepreneurial makers, inventors, engineers and product designers with the use of a diverse workspace.

Key Facts

Current stage: Planning permission granted subject to S106 Agreement

Partners: University of Brighton and U+I Plc (the developers)

Architects: Studio Egret West (Preston Barracks) & Hassell (University)

Estimated project value (Preston Barracks): c£150M

Outputs:

- 369 new homes (15% affordable)
- c1,300 student beds
- Central Research Lab (4,645 M2 & 854 jobs over 10 year period)
- Office and retail space
- New university academic space
- Regenerate key site

What happened in the last period?

- Planning application for the comprehensive redevelopment of the barracks site and adjacent University of Brighton land considered at special meeting of the Planning Committee on 27th September
- Planning permission granted subject to completion of a S106 Agreement, work on which is at an advanced stage
- Progression of related legal work towards the legal agreement going unconditional in the coming months
- The developers have continued to progress design work and tendering of early stage building contracts

What's going to happen in the next period?

- Complete S106 Agreement
- Vacant possession achieved
- Legal agreement goes unconditional
- Demolition and enablement works commence
- Construction commences

New England House



New England House



Fusebox creative space

Background

New England House is already one of the major hubs for Brighton's thriving Creative, Digital and IT (CDIT) businesses. The building accommodates 96 businesses that are primarily from this sector. These businesses employ approximately 1,000 people and many more are employed by the companies that form part of their supply chains.

City Deal and Growth Deal funding will enable the development of New England House into an improved and expanded facility for nurturing small creative-tech businesses and fusing together people with creative and digital skills. This work will put Brighton firmly on the map as Tech City South.

Key Facts

Current stage: Negotiations for potential land deal with adjacent leaseholder and potential developer which would help secure City Deal outputs

Partners: Brighton & Hove City Council, Department of Communities & Local Government (Greater Brighton City Deal)

Architects: TBC

Estimated project value: c£25M

Outputs:

- Increase office space by 7,089m²
- Repair and refurbish council asset

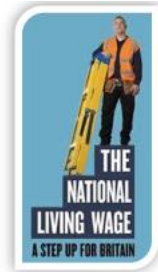
What happened in the last period?

- Continuation of discussions towards potential land deal with adjacent leaseholder (Longley Industrial Estate) and their preferred development partner

What's going to happen in the next period?

- Determination by all parties on whether a land deal is achievable and meets City Deal targets in respect of New England House.
- Developer to undertake and complete wider masterplanning exercise to consider planning issues.
- Subject to planning considerations and agreement in principle by all parties in respect of land deal, developer to work towards and/or submit planning application.
- Provide project plan and seek necessary agreements for delivery.

Living Wage Housing Joint Venture



Background

The council is developing a Joint Venture with Hyde Housing to deliver 1,000 homes (500 Living wage rent and 500 Shared Ownership targeted at local people). The proposal is to establish an equal Joint Venture Limited Liability Partnership between Brighton & Hove City Council and Hyde Housing Association. The partners will provide equal funding, totalling £106M, to build new homes for low working households in Brighton & Hove. This will help to further increase the supply of lower rent housing in the city across a range of sites.

Key Facts

Current stage:

The project received committee and funding approval in December 2016. Head of Terms are agreed and the Legal documents and Business Plan are currently being reviewed with an aim to launch in summer 2017.

Partners:

Brighton & Hove City Council and Hyde Housing

Estimated project value: £106M

Outputs:

- 1,000 homes (500 at Living Wage rent & 500 for Shared Ownership)
- Share of annual surplus to the council
- Jobs, training and apprenticeships
- Wider economic and regeneration impacts
- Council Tax revenue

What happened in the last period?

- Committee decisions by Housing & New Homes and Policy Resources & Growth Committees agreeing Business Plan and initial sites

What's going to happen in the next period?

- Establish Joint Venture Limited Liability Partnership
- Hyde starting work on design of initial sites

Subject:	Planning & Building Control fees and charges		
Date of Meeting:	16 November 2017		
Report of:	Executive Director Economy, Environment & Culture		
Contact Officer:	Name:	Liz Hobden	Tel: 01273 292504
		Julie Borer	01273 291703
	Email:	liz.hobden@brighton-hove.gov.uk	
		julie.borer@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE.

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The fees and charges for services are reviewed annually in line with the Corporate Fees & Charges Policy. As a minimum, all fees and charges are increased by the corporate rate of inflation which has been set at 2.0%. This is the same percentage by which income budgets will be increased. For 2018/19, fees and charges have been increased by a minimum of 3.5% to assist in recovering full service cost as a minimum and to enable the delivery of the Integrated Service and Financial Plans for 2017/18 and 2018//19.
- 1.2 The council's Financial Regulations require that any proposed increases in fees and charges over and above inflation are agreed by the council. They also state that it is good practice to report on fees and charges that are rising by inflation only.
- 1.3 This report presents the proposed fees and charges for 2018/19 for the Planning & Building Control Service and includes the results of a comprehensive exercise which has:
 - Benchmarked fees and charges with relevant comparators, including other authorities and providers.
 - Identified the true costs of providing the service to ensure charges recover costs, including central and local overheads and capital financing.
 - Examined potential new sources of income, particularly charging for discretionary services under the Local Government Act 2003.

2. RECOMMENDATIONS:

- 2.1 That the Committee approve the fees and charges for Building Control from 1 January 2018 in Appendix 1.

- 2.2 That the Committee approve the fees and charges for the pre-application advice service from 1 April 2018 in Appendix 2.
- 2.3 That the Committee approve the fees and charges for Planning Performance Agreements from 1 April 2018 in Appendix 3.
- 2.4 That the Committee approve the fees and charges for specialist advice from 1 January 2018 in Appendix 4.
- 2.5 That the Committee approve the administration fees and charges for development management from 1 January 2018 in Appendix 5.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 As part of the Planning & Building Control Modernisation Programme, a significant review of fees and charges has been completed. This has involved mapping the process involved to provide each service and interpreting this into officer time and costs, including central and local overheads. Benchmarking has also been completed to understand how our costs compare to neighbouring authorities. This exercise is outlined in more detail in appendix 6.
- 3.2 The results of this exercise are presented throughout this report and clearly laid out in the appendices. Where necessary, the amounts have been rounded for ease of administration..

BUILDING CONTROL

- 3.3 The review benchmarked our Building Control fees with other comparable local authorities and found that there is considerable variation between them. Consequently, it has been agreed that a more in depth analysis of the current Building Control fees and charges needs to be completed to better understand the costs associated with providing this service. This review will be undertaken in early 2018 and reported back to Tourism, Development & Culture Committee to agree any revised fees. It is therefore proposed at this stage that Building Control fees are increased by 3.5% only from 1 January 2018.
- 3.4 The analysis of Building Control administration charges identified that these are required to increase by more than 3.5% to ensure they cover the costs of providing the service.
- 3.5 The revised fees and charges are detailed in Appendix 1. Conversations with the Service Manager indicate that these increases should not have an adverse impact on demand for the service.

PRE-APPLICATION ADVICE SERVICE

3.6 During the fees and charges review it was noted that many other local authorities have a scale of pre-application planning advice services depending on the size and complexity of the development. Consequently, it is proposed that a more complex scale of fees is introduced for Brighton & Hove. Overall, as set out in appendix 2, the most significant increase in fees is for advice on major proposals and complex minors (over 5 dwellings). This reflects the time spent on assessing these increasingly complex schemes and the findings of the benchmarking exercise. Fees for small scale schemes have been amended to reflect cost, maintained or, in the case of advice to householders, lowered. The latter is in response to the need to provide an affordable service to residents and concerns raised by councillors when the fees were originally set in March 2016.

3.7 For major developments, it is recommended three categories are introduced to reflect the need for extra and more complex advice for larger developments:

- Majors (a): 100 residential units or over or 10,000 m² or over for commercial developments
- Majors (b) between 26 and 99 residential units or between 5,000 m² and 9,999 m² for commercial developments
- Majors (c): between 10 and 25 residential units or between 1,000m² and 4,999m² for commercial developments

The fees and charges proposed in Appendix 2 are based on the average fees of other local authorities identified as part of the benchmarking exercise.

3.8 For minors (developments of fewer than 10 dwellings), new categories are proposed depending on the size of the development due to the increased policy complexity for developments over five units:

- Minors (a): five to nine residential units or between 500m² to 999m² for commercial developments
- Minors (b): one to four residential units or commercial development up to 499m²

The fees and charges proposed in Appendix 2 are based on the average fees of other local authorities identified as part of the benchmarking exercise and also take into account the cost of providing the service.

3.9 Small scale developments have been categorised to reflect the more complex nature and the specialist knowledge required for Listed Building pre-application advice. The recommended categories are:

- Householders
- Listed Buildings
- Small scale such as an advertisement, air conditioning units, a small extension to commercial space

The fees and charges are detailed in Appendix 2. It is proposed the fees for householder developments are decreased to reflect the true cost of providing the service and to ensure an affordable service is provided to Brighton & Hove residents. The increased charge for Listed Buildings is due to the need for specialist advice required.

- 3.10 The review identified a disproportionate split between the charges for a face-to-face meeting compared to that for a written response. In reality, a written response takes longer to prepare than a face-to-face meeting but was the least expensive option. Therefore, it is proposed written advice as part of the pre-application advice service is increased by a much higher proportion than other elements to ensure officer time and effort is appropriately covered. This is detailed in Appendix 2.
- 3.11 It is recommended fees and charges relating to site visits and pre-application specialist advice are increased by 3.5%. This is detailed in Appendix 2.

PLANNING PERFORMANCE AGREEMENTS

- 3.12 The Policy & Resources Committee agreed in October 2015 for delegated authority to be granted to the Executive Director Environment, Development & Housing to negotiate the terms of bespoke, cost neutral PPAs on major development schemes as part of a pre-application advice service. It is not proposed that this approach is changed.
- 3.13 It is proposed other fees relating to PPAs including site visits, PPA specialist advice and PPA set up fees are increased by 3.5% and are detailed in Appendix 3.
- 3.14 A thorough review of the true cost of a PPA is to be completed within the next six months to ensure it accurately reflects the cost of the service.

SPECIALIST ADVICE

- 3.15 Brighton & Hove City Council currently provides specialist advice without charging for this complex and bespoke information. Therefore, it is proposed that charges are introduced to cover the costs associated with providing advice to:
- Prospective owners considering making an offer on a Listed Building new to ownership of an historic property
 - Prospective owners in the process of buying a Listed Building where possible unauthorised works have come to light
 - Existing owners in the process of selling a Listed Building where possible unauthorised works have come to light
 - Prospective owners considering making an offer on a building where the listed status is unclear, including matters of curtilage structures and fixtures and fittings
 - Other enquiries on the listed status of any curtilage structures
- 3.16 It is proposed a new fee of £114 for up to two hours work is introduced to cover officer costs and overheads. If more than two hours is necessary, an additional charge of £114 per hour will be made. This is detailed in Appendix 4.

ADMINISTRATION (DEVELOPMENT MANAGEMENT)

- 3.17 It is proposed that from 2018/19 two services which are currently provided free of charge will be charged for to ensure the cost of staff time and overheads are covered. These are:
- Research charge to cover the costs associated with enquiries relating to copies of plans for major and other applications. This will be £36 per address
 - For copies of decisions pre-1997, a £48 charge will be introduced to cover the costs associated with retrieval of files from the archive and the research time taken
- 3.18 The existing administration fees and charges will be increased by 3.5%. All the administration fees and charges are detailed in Appendix 5. Also proposed is a minimum charge of £5 for photocopying.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The proposed fees and charges in this report have been prepared in accordance with the council's fees and charges policy and form part of the proposed budget strategy. Consideration has been given to other factors such as cost recovery and prices charged by other local authorities and providers.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 A comprehensive consultation was undertaken in 2015 as part of the introduction of Pre Application Advice and Planning Performance Agreements. The proposed changes to fees and charges will be discussed at the Brighton and Hove Planning Professionals Forum sub-group in early November and the outcome of this will be reported to the meeting. Officers were unable to meet with the group earlier.

6. CONCLUSION

- 6.1 Fees and charges are considered to be an important source of income in enabling services to be provided in a sustainable manner. The overall budget strategy aims to ensure that fees and charges are maintained or increased as a proportion of gross expenditure through identifying income generating opportunities, ensuring that charges for discretionary services cover costs, and ensuring that fees and charges keep pace with price inflation and/or other local authorities and providers fees.
- 6.2 The fees and charges for Planning & Building Control are assumed to increase by 3.5% with the exception of those listed throughout the report where there are sound business reasons for increases above or below.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The fees and charges recommended in this report have been reviewed in line with the Corporate Fees and Charges Policy and budget assumptions approved by Policy, Resources and Growth Committee. The anticipated recurring financial impact of fee change will be reflected within service revenue budgets and contribute towards the achievement of budget saving proposals within the integrated Service and Financial Plans for 2018/19 and a part year effect for 2017/18 where fees are proposed to be introduced from January 2018. The proposed increases will also ensure that the service is able to meet expected inflationary targets and recovers the full cost of providing each service. Increases have where possible been benchmarked against similar authorities. Income from fees and charges will be reviewed as part of the budget monitoring process.
- 7.2 A review of the cost of service for Building Control and Planning Performance Agreements will be undertaken during the remainder of this year and a further report will come back to this committee in which will advise on potential further fee rises if required to cover the cost of service.
- 7.3 Charges are being introduced for the first time to cover costs for services that were previously provided at no charge. This includes charges for specialist planning advice for prospective owners and existing owners of listed buildings and also administration charges for the provision of copies of planning decisions and applications.

Finance Officer Consulted: Rob Allen

Date: 17/10/17

Legal Implications:

- 7.4 The Building (Local Authority Charges) Regulations 2010 authorise local authorities to fix and recover charges for the performance of their building control functions in accordance with a charging scheme. In determining the amount of the charges to be made within the charging scheme the authority must have regard to the “overriding objective” set out in Regulation 6(3) , namely “...the authority must ensure that, taking one financial year with another, the income derived by the authority from performing chargeable functions and providing chargeable advice ...as nearly as possible equates to the costs incurred by the authority in performing chargeable functions and providing chargeable advice...”
- 7.5 The power to charge for discretionary planning services is found in s93 of the Local Government Act 2003. This power is subject to the duty (s93 (3)) to secure that, taking one financial year with another, the income from charges does not exceed the costs of provision.
- 7.6 It is not considered that any adverse human rights implications arise from the recommendations of the report.

Lawyer Consulted:

Hilary Woodward

Date: 18/10/17

- Equalities Implications:
- 7.3 Equalities issues have been a key consideration of the review of fees and charges and appropriate measures will be introduced.

- Sustainability Implications:
- 7.4 In order to assist with the long-term sustainability and efficiency of the Planning & Building Control Service and to continue providing a quality service, it is necessary that the charges be set at an appropriate level.

- Any Other Significant Implications:
- 7.5 There are no other significant implications arising from the recommendation in this report.

SUPPORTING DOCUMENTATION

- Appendix 1: Building Control fees and charges
- Appendix 2: Pre-application advice service fees and charges
- Appendix 3: Planning Performance Agreement fees and charges
- Appendix 4: Specialist advice fees and charges
- Appendix 5: Administration fees and charges
- Appendix 6: Review process

Appendix 1: Building Control advice fees and charges

Detailed below are the proposed 2018/19 fees and charges for the building control service.

Service		2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
Dwellings						
Dwelling houses, flats and conversions: one dwelling	Plan Charge	£206.00	£171.67	£213.21	£177.68	3.5%
	Inspection Charge	£503.00	£419.17	£520.61	£433.84	3.5%
	Building Notice Charge	£851.00	£709.17	£880.79	£733.99	3.5%
	Regularisation Charge	£738.00	£738.00	£763.83	£763.83	3.5%
Dwelling houses, flats and conversions: two dwellings	Plan Charge	£279.00	£232.50	£288.77	£240.64	3.5%
	Inspection Charge	£679.00	£565.83	£702.77	£585.64	3.5%
	Building Notice Charge	£1,150.00	£958.33	£1,190.25	£991.88	3.5%
	Regularisation Charge	£997.00	£997.00	£1,031.90	£1,031.90	3.5%
Dwelling houses, flats and conversions: three dwellings	Plan Charge	£336.00	£280.00	£347.76	£289.80	3.5%
	Inspection Charge	£818.00	£681.67	£846.63	£705.53	3.5%
	Building Notice Charge	£1,383.00	£1,152.50	£1,431.41	£1,192.84	3.5%
	Regularisation Charge	£1,201.00	£1,201.00	£1,243.04	£1,243.04	3.5%
Dwelling houses, flats and conversions: four dwellings	Plan Charge	£392.00	£326.67	£405.72	£338.10	3.5%
	Inspection Charge	£955.00	£795.83	£988.43	£823.69	3.5%
	Building Notice Charge	£1,618.00	£1,348.33	£1,674.63	£1,395.53	3.5%
	Regularisation Charge	£1,404.00	£1,404.00	£1,453.14	£1,453.14	3.5%
Dwelling houses, flats and conversions: five dwellings	Plan Charge	£449.00	£374.17	£464.72	£387.26	3.5%
	Inspection Charge	£1,094.00	£911.67	£1,132.29	£943.58	3.5%
	Building Notice Charge	£1,852.00	£1,543.33	£1,916.82	£1,597.35	3.5%
	Regularisation Charge	£1,607.00	£1,607.00	£1,663.25	£1,663.25	3.5%
Dwelling houses, flats and conversions: six dwellings	Plan Charge	£505.00	£420.83	£522.68	£435.56	3.5%
	Inspection Charge	£1,333.00	£1,110.83	£1,379.66	£1,149.71	3.5%
	Building Notice Charge	£2,086.00	£1,738.33	£2,159.01	£1,799.18	3.5%
	Regularisation Charge	£1,810.00	£1,810.00	£1,873.35	£1,873.35	3.5%
Dwelling houses, flats and conversions: seven dwellings	Plan Charge	£562.00	£468.33	£581.67	£484.73	3.5%
	Inspection Charge	£1,372.00	£1,143.33	£1,420.02	£1,183.35	3.5%
	Building Notice Charge	£2,320.00	£1,933.33	£2,401.20	£2,001.00	3.5%

Service		2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
	Regularisation Charge	£2,014.00	£2,014.00	£2,084.49	£2,084.49	3.5%
Dwelling houses, flats and conversions: eight dwellings	Plan Charge	£619.00	£515.83	£640.67	£533.89	3.5%
	Inspection Charge	£1,510.00	£1,258.33	£1,562.85	£1,302.38	3.5%
	Building Notice Charge	£2,554.00	£2,128.33	£2,643.39	£2,202.83	3.5%
	Regularisation Charge	£2,217.00	£2,217.00	£2,294.60	£2,294.60	3.5%
Dwelling houses, flats and conversions: nine dwellings	Plan Charge	£675.00	£562.50	£698.63	£582.19	3.5%
	Inspection Charge	£1,647.00	£1,372.50	£1,704.65	£1,420.54	3.5%
	Building Notice Charge	£2,789.00	£2,324.17	£2,886.62	£2,405.51	3.5%
	Regularisation Charge	£2,420.00	£2,420.00	£2,504.70	£2,504.70	3.5%
Dwelling houses, flats and conversions: 10 dwellings	Plan Charge	£732.00	£610.00	£757.62	£631.35	3.5%
	Inspection Charge	£1,787.00	£1,489.17	£1,849.55	£1,541.29	3.5%
	Building Notice Charge	£3,022.00	£2,518.33	£3,127.77	£2,606.48	3.5%
	Regularisation Charge	£2,623.00	£2,623.00	£2,714.81	£2,714.81	3.5%
One new flat	Plan Charge	£134.00	£111.67	£138.69	£115.58	3.5%
	Inspection Charge	£327.00	£272.50	£338.45	£282.04	3.5%
	Building Notice Charge	£554.00	£461.67	£573.39	£477.83	3.5%
	Regularisation Charge	£480.00	£480.00	£496.80	£496.80	3.5%
Two new flats	Plan Charge	£165.00	£137.50	£170.78	£142.31	3.5%
	Inspection Charge	£404.00	£336.67	£418.14	£348.45	3.5%
	Building Notice Charge	£681.00	£567.50	£704.84	587.36	3.5%
	Regularisation Charge	£590.00	£590.00	£610.65	£610.65	3.5%
Three new flats	Plan Charge	£196.00	£163.33	£202.86	£169.05	3.5%
	Inspection Charge	£478.00	£398.33	£494.73	£412.28	3.5%
	Building Notice Charge	£809.00	£674.17	£837.32	£697.76	3.5%
	Regularisation Charge	£702.00	£702.00	£726.57	£726.57	3.5%
Four new flats	Plan Charge	£226.00	£188.33	£233.91	£194.93	3.5%
	Inspection Charge	£554.00	£461.67	£573.39	£477.83	3.5%
	Building Notice Charge	£936.00	£780.00	£968.76	£807.30	3.5%
	Regularisation Charge	£813.00	£813.00	£841.46	£841.46	3.5%
Five new flats	Plan Charge	£258.00	£215.00	£267.03	£222.53	3.5%

Service		2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
	Inspection Charge	£629.00	£524.17	£651.02	£542.51	3.5%
	Building Notice Charge	£1,064.00	£886.67	£1,101.24	£917.70	3.5%
	Regularisation Charge	£924.00	£924.00	£956.34	£956.34	3.5%
Six new flats	Plan Charge	£279.00	£232.50	£288.77	£240.64	3.5%
	Inspection Charge	£679.00	£565.83	£702.77	£585.64	3.5%
	Building Notice Charge	£1,149.00	£957.50	£1,189.22	£991.01	3.5%
	Regularisation Charge	£997.00	£997.00	£1,031.90	£1,031.90	3.5%
Conversions						
Forming a single dwelling-house (proposed work is less than £15000)	Plan Charge	£88.00	£73.33	£91.08	£75.90	3.5%
	Inspection Charge	£218.00	£181.67	£225.63	£188.03	3.5%
	Building Notice Charge	£367.00	£305.83	£379.85	£316.54	3.5%
	Regularisation Charge	£318.00	£318.00	£329.13	£329.13	3.5%
From single dwelling to 2 dwellings	Plan Charge	£134.00	£111.67	£138.69	£115.58	3.5%
	Inspection Charge	£327.00	£272.50	£338.45	£282.04	3.5%
	Building Notice Charge	£554.00	£461.67	£573.39	£477.83	3.5%
	Regularisation Charge	£480.00	£480.00	£496.80	£496.80	3.5%
Extensions						
Extension - floor area not exceeding 15m2	Plan Charge	£158.00	£131.67	£163.53	£136.28	3.5%
	Inspection Charge	£250.00	£208.33	£258.75	£215.63	3.5%
	Building Notice Charge	£530.00	£441.67	£548.55	£457.13	3.5%
	Regularisation Charge	£498.00	£498.00	£515.43	£515.43	3.5%
Extension floor area not exceeding 60m2	Plan Charge	£158.00	£131.67	£163.53	£136.28	3.5%
	Inspection Charge	£411.00	£342.50	£425.39	£354.49	3.5%
	Building Notice Charge	£740.00	£616.67	£765.90	£638.25	3.5%
	Regularisation Charge	£695.00	£695.00	£719.33	£719.33	3.5%
Extension floor area not exceeding 100m2	Plan Charge	£158.00	£131.67	£163.53	£136.28	3.5%
	Inspection Charge	£484.00	£403.33	£500.94	£417.45	3.5%
	Building Notice Charge	£836.00	£696.67	£865.26	£721.05	3.5%
	Regularisation Charge	£783.00	£783.00	£810.41	£810.41	3.5%
Erection or extension of a non-exempt	Plan Charge	£158.00	£131.67	£163.53	£136.28	3.5%

Service		2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
garage or carport up to 100m2	Inspection Charge	£214.00	£178.33	£221.49	£184.58	3.5%
	Building Notice Charge	£440.00	£366.67	£455.40	£379.50	3.5%
	Regularisation Charge	£386.00	£386.00	£399.51	£399.51	3.5%
Loft conversion not exceeding 40m2	Plan Charge	£184.00	£153.33	£190.44	£158.70	3.5%
	Inspection Charge	£314.00	£261.67	£324.99	£270.83	3.5%
	Building Notice Charge	£648.00	£540.00	£670.68	£558.90	3.5%
	Regularisation Charge	£606.00	£606.00	£627.21	£627.21	3.5%
Loft conversion exceeding 40m2 but not exceeding 100m2	Plan Charge	£184.00	£153.33	£190.44	£158.70	3.5%
	Inspection Charge	£404.00	£336.67	£418.14	£348.45	3.5%
	Building Notice Charge	£760.00	£633.33	£786.60	£655.50	3.5%
	Regularisation Charge	£716.00	£716.00	£741.06	£741.06	3.5%
Conversion of a garage to a habitable room	Plan Charge	£184.00	£153.33	£190.44	£158.70	3.5%
	Inspection Charge	£170.00	£141.67	£175.95	£146.63	3.5%
	Building Notice Charge	£354.00	£295.00	£366.39	£305.33	3.5%
	Regularisation Charge	£308.00	£308.00	£318.78	£318.78	3.5%
Fees for other work						
Replacement of 1-5 windows or external doors	Building Notice Charge	£78.00	£65.00	£80.73	£67.28	3.5%
	Regularisation Charge	£82.00	£82.00	£84.87	£84.87	3.5%
Fee for any one of the following: a) replacement of 6-10 window, new roof lights or external doors; b) electrical work other than a rewire or where certification cannot be provided; c) cavity wall insulation; d) installation of WC; e) replacement of defective beam; f) new door opening	Building Notice Charge	£138.00	£115.00	£142.83	£119.03	3.5%
	Regularisation Charge	£143.00	£143.00	£148.01	£148.01	3.5%

Service		2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
Fee for any one of the following: a) renovation of thermal element; b) replacement of 11 or more windows, rooflights or external doors; c) energy saving system/appliance i.e. replacement boiler or solar panels (not covered by a competent persons scheme); d) removal of loadbearing wall to form a through room with an opening up to 3m in length e) removal of chimney breast	Building Notice Charge	£163.00	£135.83	£168.71	£140.59	3.5%
	Regularisation Charge	£168.00	£168.00	£173.88	£173.88	3.5%
Fee for any one of the following: a) renovation of thermal element; b) replacement of 11 or more windows, rooflights or external doors; c) energy saving system/appliance i.e. replacement boiler or solar panels (not covered by a competent persons scheme); d) removal of loadbearing wall to form a through room with an opening up to 3m in length e) removal of chimney breast	Building Notice Charge	£219.00	£182.50	£226.67	£188.89	3.5%
	Regularisation Charge	£224.00	£224.00	£231.84	£231.84	3.5%
Fees for other work not listed elsewhere including underpinning						
Cost of works not exceeding: £5000	Plan Charge	£65.00	£54.17	£67.28	£56.06	3.5%
	Inspection Charge	£151.00	£125.83	£156.29	£130.24	3.5%
	Building Notice Charge	£214.00	£178.33	£221.49	£184.58	3.5%
	Regularisation Charge	£224.00	£224.00	£231.84	£231.84	3.5%
Cost of works over £5000 but not exceeding £15000	Plan Charge	£90.00	£75.00	£93.15	£77.63	3.5%
	Inspection Charge	£214.00	£178.33	£221.49	£184.58	3.5%
	Building Notice Charge	£362.00	£301.67	£374.67	£312.23	3.5%
	Regularisation Charge	£316.00	£316.00	£327.06	£327.06	3.5%

Service		2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
Cost of works over: £15000 but not exceeding £25000	Plan Charge	£120.00	£100.00	£124.20	£103.50	3.5%
	Inspection Charge	£291.00	£242.50	£301.19	£250.99	3.5%
	Building Notice Charge	£490.00	£408.33	£507.15	£422.63	3.5%
	Regularisation Charge	£423.00	£423.00	£437.81	£437.81	3.5%
Cost of works exceeding: £25000 but not exceeding £50000	Plan Charge	£180.00	£150.00	£186.30	£155.25	3.5%
	Inspection Charge	£441.00	£367.50	£456.44	£380.36	3.5%
	Building Notice Charge	£745.00	£620.83	£771.08	£642.56	3.5%
	Regularisation Charge	£648.00	£648.00	£670.68	£670.68	3.5%
Cost of works exceeding: £50000 but not exceeding £100000	Plan Charge	£260.00	£216.67	£269.10	£224.25	3.5%
	Inspection Charge	£629.00	£524.17	£651.02	£542.51	3.5%
	Building Notice Charge	£1,066.00	£888.33	£1,103.31	£919.43	3.5%
	Regularisation Charge	£923.00	£923.00	£955.31	£955.31	3.5%
Non domestic work for each separate construction						
Extensions with a floor area not exceeding 15m2	Plan Charge	£195.76	£163.13	£202.61	£168.84	3.5%
	Inspection Charge	£230.00	£191.67	£238.05	£198.38	3.5%
	Regularisation Charge	£440.00	£440.00	£455.40	£455.40	3.5%
Extension with floor area exceeding 15m2 but not exceeding 60m2	Plan Charge	£190.00	£158.33	£196.65	£163.88	3.5%
	Inspection Charge	£410.00	£341.67	£424.35	£353.63	3.5%
	Regularisation Charge	£620.00	£620.00	£641.70	£641.70	3.5%
Extensions with a floor area exceeding 60m2 but not exceeding 100m2	Plan Charge	£190.00	£158.33	£196.65	£163.88	3.5%
	Inspection Charge	£525.00	£437.50	£543.38	£452.81	3.5%
	Regularisation Charge	£740.00	£740.00	£765.90	£765.90	3.5%
Extensions with total floor area exceeding 100m2 to 200m2	Plan Charge	£190.00	£158.33	£196.65	£163.88	3.5%
	Inspection Charge	£640.00	£533.33	£662.40	£552.00	3.5%
	Regularisation Charge	£860.00	£860.00	£890.10	£890.10	3.5%
Other work						
Cost of work not exceeding £5,000	Plan Charge	£75.00	£62.50	£77.63	£64.69	3.5%
	Inspection Charge	£165.00	£137.50	£170.78	£142.31	3.5%
	Regularisation Charge	£240.00	£240.00	£248.40	£248.40	3.5%
Cost of work exceeding £5,000 & not	Plan Charge	£100.00	£83.33	£103.50	£86.25	3.5%

Service		2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
exceeding £25,000	Inspection Charge	£240.00	£200.00	£248.40	£207.00	3.5%
	Regularisation Charge	£250.00	£250.00	£258.75	£258.75	3.5%
Cost of work exceeding £25,000 & not exceeding £50,000	Plan Charge	£205.00	£170.83	£212.18	£176.81	3.5%
	Inspection Charge	£490.00	£408.33	£507.15	£422.63	3.5%
	Regularisation Charge	£720.00	£720.00	£745.20	£745.20	3.5%
Cost of work exceeding £50,000 and not exceeding £100,000	Plan Charge	£270.00	£225.00	£279.45	£232.88	3.5%
	Inspection Charge	£655.00	£545.83	£677.93	£564.94	3.5%
	Regularisation Charge	£960.00	£960.00	£993.60	£993.60	3.5%
Fit-out of building up to 100m2	Plan Charge	£110.00	£91.67	£113.85	£94.88	3.5%
	Inspection Charge	£265.00	£220.83	£274.28	£228.56	3.5%
	Regularisation Charge	£390.00	£390.00	£403.65	£403.65	3.5%

Service	2017/18 fee Gross	2017/18 fee Net	Average benchmark fee	2018/19 fee Gross	2018/19 fee Net	% increase
Copy of approvals and completions	£15	£12.50	£30.83	£16	£13.33	+6.6%
History searches	£25	£20.83	£23.89	£26	£21.66	+4%
Scanning of applications	£24	£20	N/A	£25	£20.83	+4%

Detailed below are the proposed 2018/19 fees and charges for the pre-application advice service.

Service	2017/18 Current fee Gross	2017/18 Current fee Net	Average benchmark fee	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase	Bristol	Hereford	Portsmouth	South- ampton	Oxford	Horsham	West- minster	Croydon	Islington
Majors (a): over 100 residential units or 10,000 m² for commercial developments															
Meeting and written response	£900	£750	£3117	£2400	£2000	+167%	£2875	£1946		£700		£1042	£4800	£3500	£6960
Additional meeting	£600	£500	N/A	£960	£800	+60%	No benchmarking information available								
Written response only	£300	£250	N/A	£1440	£1200	+380%	No benchmarking information available								
Majors (b) over 26 and less than 99 residential units or between 5,000 m² and 9,999 m² for commercial developments															
Meeting and written response	£900	£750	£2210	£1560	£1300	+73%	£1450	£1062	£333	£700	£935	£417	£4800	£3500	£6960
Additional meeting	£600	£500	N/A	£624	£520	+4%	No benchmarking information available								
Written response only	£300	£250	N/A	£936	£780	+12%	No benchmarking information available								
Majors (c): over 10 and less than 25 residential units or between 1,000m² and 4,999m² for commercial developments															
Meeting and written response	£900	£750	£2055	£1200	£1000	+33%	£1450	£1062	£333	£700	£935	£417	£4800	£3500	£5304
Additional meeting	£600	£500	N/A	£480	£400	-20%	No benchmarking information available								
Written response only	£300	£250	N/A	£720	£600	+140%	No benchmarking information available								
Minors (a): five to nine residential units or between 500m² to 999m² for commercial developments															
Meeting and written response	£678	£565	£1045	£1020	£850	+50%	£290	£532	£333	£300	£710	£292	£3000	£2000	£1946
Additional meeting	£450	£375	N/A	£408	£340	-9%	No benchmarking information available								
Written response only	£228	£190	N/A	£612	£510	+168%	No benchmarking information available								
Minors (b): one to four residential units or commercial development up to 499m²															
Meeting and written response	£678	£565	£500	£840	£700	+24%	£190	£267	£208	£150	£485	£292	£800	£1000	£1111
Additional meeting	£450	£375	N/A	£420	£350	-7%	No benchmarking information available								
Written response only	£228	£190	N/A	£420	£350	+84%	No benchmarking information available								
Householders															
Meeting and written response (half hour meeting)	£414	£345	£165	£150	£125	-64%	£190	£84	£34	£35	£80	£42	£300	£250	£436
Written response only	£114	£95	N/A	£100	£83	-13%	No benchmarking information available								
Listed Buildings															
Meeting and written response	£414	£345	£190	£432	£360	+4%	No benchmarking information available				£475	No benchmarking information available			
Additional meeting	£300	£250	N/A	£216	£180	-28%	No benchmarking information available				£315	No benchmarking information available			
Written response only	£114	£95	N/A	£216	£180	+89%	No benchmarking information available				£60	No benchmarking information available			
Small scale e.g. an advertisement, air conditioning units, a small extension to commercial space															
Meeting and written response	£414	£345	£165	£300	£250	-28%	£190	£84	£34	£35	£80	£42	£300	£250	£436
Additional meeting	£300	£250	N/A	£150	£125	-50%	No benchmarking information available								
Written response only	£114	£95	N/A	£150	£125	+32%	No benchmarking information available								

Appendix 3: Planning Performance Agreement fees and charges

Detailed below are the proposed 2018/19 fees and charges for Planning Performance Agreements.

Service	2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
Site visit	£80	£66.67	£83	£69	+3.5%
Specialist advice	£72	£60	£74	£62	+3.3%
PPA set up fee	£1800	£1500	£1864	£1553	+3.5%

Appendix 4: Specialist advice fees and charges

Detailed below are the proposed 2018/19 fees and charges for providing specialist advice.

Service	2017/18 Current fee Gross	2017/18 Current fee Net	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase
Up to two hours of specialist advice to: <ul style="list-style-type: none"> • Prospective owners considering making an offer on a listed building new to ownership of an historic property • Prospective owners in the process of buying a list building where possible unauthorised works have come to light • Existing owners in the process of selling a listed building where possible unauthorised works have come to light • Prospective owners considering making an offer on a building where the listed status is unclear, including matters of curtilage structures and fixtures and fittings • Other enquiries on the listed status of any curtilage structures 	New fee		£114	£95	N/A

Appendix 5: Administration fees and charges

Detailed below are the proposed 2018/19 fees and charges for the administration services.

Service	2017/18 Current fee Gross	2017/18 Current fee Net	Average benchmark fee	2018/19 Proposed fee Gross	2018/19 Proposed fee Net	% increase	
Photocopying (minimum £5 charge)	Per A4 page	£0.30	£0.25	N/A	£0.31	£0.26	+4%
	Per A3 page	£0.50	£0.42	N/A	£0.52	£0.43	+2.4%
	Per A2 plan	£5.20	£4.33	N/A	£5.38	£4.49	+3.7%
	Per A1 plan	£10.40	£8.67	N/A	£10.76	£8.97	+3.5%
	Per A0 plan and over	£20.20	£16.83	N/A	£20.90	£17.42	+3.5%
Copy of planning decision notice post-1997	£17.40	£14.50	£15.28	£18	£15	+3.4%	
Copy of planning decision notice pre-1997	New fee	New fee	N/A	£48	£40	N/A	
Copy of enforcement notice	£17.40	£14.50	£12.50	£18	£15	+3.5%	
Copy of Article 4	£17.40	£14.50	£12.50	£18	£15	+3.5%	
Research for planning history e.g. use class, refusals (cost per address)	£29.90	£24.92	£30.56	£36	£30	+20.4%	
Research for enquiries relating to copies of plans for major and other applications (cost per address)	New fee	New fee	£34.33	£36	£30	N/A	

This appendix details the approach undertaken to complete the comprehensive review of fees and charges. The review adopted two methods – process mapping and benchmarking.

Approach to process mapping

The review of Planning & Building Control fees and charges was broken down into five distinct areas:

- Building Control
- Pre-application advice
- Planning Performance Agreements
- Specialist fees
- Administration

Data was gathered at the start of the review, including:

- Current fees and charges for the services listed above
- 2017/18 staffing budget including cost centres and detail codes for all income
- General Ledger costs centres and detail codes for all income
- Background information on the introduction of Pre-application advice and Planning Performance Agreements

Work was completed to understand and map the existing process used to deliver each particular service. This was broken down into the specific steps taken. The following were populated on a spreadsheet, detailing the total cost of delivering each service:

- The time taken to deliver each step
- The grades of the employees involved in delivering each step
- The hourly employee costs to determine the cost of providing each step
- The average support service charges per hour for the overall service per step

Approach to benchmarking

A directive for setting 2018/19 fees and charges is: *all charges and fees should be benchmarked with “nearest neighbours” (or other relevant comparator groups including the private sector where appropriate). Outlier authorities or providers (i.e. high charges) should also be examined and consideration given as to whether or not Brighton & Hove City Council could increase charges to such levels.*

Prior to commencing work on the benchmarking of fees, the criterion for selection of local authorities to benchmark was agreed by the Planning & Building Control Management Team as:

- Building Control Fee and Charges – compared with authorities as recommended by the Head of Service
- Pre-application advice – CIPFA nearest neighbours and a selection of London Boroughs
- Administration – a cross section of different local authorities

For Planning Performance Agreements and the provision of specialist advice, it was difficult to obtain any comparative data. Therefore, no benchmarking information was used to propose fees for these services.

To complete the benchmarking review:

- The fees and charges of the other identified local authorities were obtained and noted in a benchmarking spreadsheet
- An average fee was calculated using others' fees
- This was compared to the equivalent BHCC fee and was used as part of the criteria to determine the proposed fees

The benchmarking authorities used for the review were:

Building Control	Pre-application advice	Administration
Adur and Worthing	Bristol	Lewes
Arun	Croydon	Newark and Sherwood
Bristol	Herefordshire	Tameside
Chichester	Horsham	Tower Hamlets
Eastbourne and Wealden	Islington	
Horsham	Oxford	
Mid Sussex	Portsmouth	
Portsmouth	Southampton	
Southampton	Westminster	
Winchester		

Determining proposed fees

The total process cost was presented alongside the average benchmarked fee (where available), the current fee and a 3.5% increase on the current fee. The Planning & Building Control Management Team reviewed all this information and agreed on the proposed charges which are detailed in appendices 1 to 5.

Subject:	Section 106 Planning Obligations - 2016/17 Financial Contributions Report		
Date of Meeting:	16 November 2017		
Report of:	Executive Director – Economy, Environment and Culture		
Contact Officer:	Name:	Debra May, Principal Planning Officer (s106)	Tel: 01273 292295
	Email:	debra.may@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report provides information and updates on the type and value of financial contributions made under Section 106 of the Town and Country Planning Act 1990 in 2016/17. These are payments secured through planning agreements or undertakings (“planning obligations”) as part of the planning application process and are determined by Planning Committee. The publication of this information is in response to the recommendations in the Planning Advisory Group (PAS) Planning Peer Review, it provides further information on measure to mitigate the impact of new development; and is more open and transparent. The report sets out the type and value of contributions and the process for the allocation of contributions.

2. RECOMMENDATIONS:

- 2.1 That Committee notes the report on the s.106 financial contributions held and those sums secured, received and spent within the last financial year (2016/17).
- 2.2 That Committee agrees that updates are to be reported at the end of each financial year.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Planning obligations, commonly known as Developer Contributions or Section 106 Agreements, are legally binding agreements between the council as Local Planning Authority and landowners/developers that are secured through the planning process to meet planning policy objectives that enable the granting of planning permission.

- 3.2 The contributions are secured under Section 106 of the Town and Country Planning Act 1990. Under Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 a planning obligation may only constitute a reason for granting planning permission for development where an obligation is:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development
- 3.3 The specific obligations in each s106 Agreement makes a development proposal acceptable in planning terms that would not otherwise be granted planning permission. The Developer Contributions are sought in accordance with planning policy objectives set out in the adopted development plans (City Plan Part One and the remaining retained policies in the Brighton & Hove Local Plan 2005). The figures included in this report illustrate the ‘value added’ to development proposals as a result of the planning process in securing site specific mitigation measures and the provision of new and enhanced infrastructure facilities for the benefit of local communities in the city.
- 3.4 The obligations are typically sought on major development proposals (10 or more dwellings) determined at Planning Committee. Committee will agree the details of a specific mitigation project to be included in the s106 Agreement that enables the granting of planning permission. These details form part of the legal agreement which, once signed, forms part of the planning permission and is a public document.
- 3.5 Planning officers negotiate with developers as part of the planning process. In terms of identifying s.106 priorities officer use local plan priorities and the adopted Developer Contributions Technical Guidance (DCTG). The latter identifies the main type of contributions that should be sought and contains approved methods for assessing the level of contribution. Additionally, officers in the relevant teams in the city council are consulted on development schemes that trigger potential developer contributions. They are asked to make comments and identify priorities for projects which are often based on agreed service strategies and the location of the development.
- 3.6 Contributions secured in 2016/17
This is a breakdown of the type and amount of the financial contributions secured through granting planning permission in 2016/17. See below.

Summary of s106 contributions Secured in 2016/17

Affordable Housing - commuted sums in lieu	£3,821,508
Education	£ 643,633
Local Employment & training	£ 341,830
Parks, sports Inc. Allotments	£ 861,037
Transport initiatives – all	£ 818,774
Total contributions Secured 2016/17	£6,486,782

3.7 The obligations are provided through either financial or in-kind direct provision towards necessary physical, community and environmental infrastructure. The contributions secured will vary according to the scale and type of development proposed. Many contributions, such as towards education, open space, recreation and local employment, are triggered by major developments of over 10 residential units. The contributions received are spent by council services for upgrades and improvement to specific identified measures in the nearest most appropriate vicinity of the development. The actual financial contributions will not be made until the developer reaches a specific trigger point in implementing their planning consent so there is a lag between contributions secured (above) and received (below).

3.8 Contributions Received in 2016/17

A breakdown of the type and amount of contributions received in 2016/17 and 2017/18 up to 30 September 2017 is set out below.

Summary of s106 contributions Received in 2016/17 & up to 30 September 2017

Artistic components	£24,900
Education	£381,442
Local Employment & training	£175,123
Parks, sports Inc Allotments	£673,623
Transport initiatives – all	£771,011
Total contributions Received 2016/17 up to 30/9/17	£2,026,099

3.9 As stated above, contributions are received when a specific trigger is reached such as the commencement of development or the occupation of the development. In addition, developers have three years in which to implement their planning permissions. This means that contributions may not necessarily be received in the same year of planning permission being granted.

3.10 Contributions spent in 2016/17

A breakdown of the type and amount of contributions spent in 2016/17 is set out in paragraph 3.13 below.

Contributions held (as at 30th September 2017)

A breakdown of the sums held is set out in paragraph 3.13 below.

3.11 This year the contributions have been spent on a range of projects and services in accordance with the s106 agreements linked to the individual planning consents. The balance of sums held varies as contributions are received and spent. Some contribute to significant individual schemes and projects, such as school expansion and sports facilities, and some contribute to ongoing rolling programmes of smaller scale works, such as bus stop improvements. Concluded planning obligations dated from 2010 can be found on the council's website Planning Register by searching against the planning application to which they relate.

- 3.12 Depending on the scheme, s106 contributions are required to be spent within a period of 3 to 10 years, after which unspent contributions are returned. The council has a good record of ensuring contributions are spent and over the last 17 years, only one contribution has been returned following the completion of a development.
- 3.13 A breakdown summary of the s.106 contributions spent in 2016/17 and sums held up to 30th September 2017 are set out in the paragraph below. In terms of the balance of sums held, as outlined in para 3.11 above, this is required to be spent on the specific projects identified in the original s106 agreements linked to the granting of planning permission on individual schemes.

Summary of s.106 sums spent 2016/17 and contributions held (as at 30th September 2017):

	2016/17 Spend	Balance Sums held
Artistic Components	£94,161	£224,894
Community Facilities	£0	£113,437
Education	£0	£1,648,841
Local Employment & training	£56,992	£245,580
Parks/sports Inc. Allotments	£748,227	£1,907,354
Transport – Bus stops	£235,462	£291,405
Transport – walking/cycling Inc. highways	£159,458	£2,377,255
Total 2016/17 spend	£1,294,300	
Total balance sum held as at 30/9/2017		£6,808,766

- 3.14 The future of developer contributions
The collecting and spending on s106 contributions and provision of direct on site infrastructure will continue to be monitored through the Planning service. The contributions paid by developers are held in a separate ring fenced fund in accordance with financial procedures and identified to those specific infrastructure projects and measures as agreed at Planning Committee as identified within each s106 Agreement. The process is monitored by the Principal Planning Officer (Section 106) and the contributions released retrospectively following the appropriate infrastructure improvements being completed.
- 3.15 Ward councillors can comment on a proposed development in their ward where a s106 contribution might be necessary and where any funding might best be used towards supporting infrastructure in the local area. Developer contributions are normally triggered on major applications (e.g. 10 or more dwellings) and these can be identified through the planning weekly list. Comments made on contributions are more effective if made early on in the planning process to allow for negotiations and for the officer report and s106 agreement to be drafted. As set out above, payments need to meet the tests for contributions and planning applications need to be determined in a timely way.

3.16 Committee approval has been given to progress a Community Infrastructure Levy (CIL) charge for the city, commencing shortly with consultation on a Preliminary Draft Charging Schedule (PDCS). This is a levy on new development based on floorspace or number of residential dwellings and should be spent on strategic infrastructure. Section 106 contributions will continue alongside CIL for securing direct on site infrastructure requirements which will include affordable housing, some transport and local employment opportunities. To enable introduction of a CIL, and prevent charging twice for infrastructure, s106 contributions towards education, recreation open space and transport will be replaced by CIL once it is adopted.

3.17 In securing a CIL a wider range of development, including individual residential units, will provide contributions to infrastructure. There are restrictions on pooling payments from s106 planning obligations and these do not apply to CIL. Negotiating CIL income is not part of the planning application process, so it is likely that most councillor input will be into how the contributions are spent locally through priorities set out in a Regulation 123 list. Officers will review member involvement in both S106 contributions and CIL to ensure that this is effective.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The report provides details on the annual securing, receipt, spend and balances held for s106 developer contributions from development schemes in the city, with the proposal this approach continues for reporting annually. The only alternative option is that reporting is not provided annually and this information is not therefore available to view to all interested parties.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Community consultation has been carried out directly in respect of this report. However, securing s106 contributions is in accordance adopted planning policy and priorities in the City Plan Part One adopted March 2016 following extensive consultation over a number of years. The community are welcome to comment on all planning applications in their areas which are available to view on the council website.

6. CONCLUSION

6.1 The recommendation is to note the report and agree to the continued annual reporting of up to date details on the value and scale of developer contributions available for supporting physical, community and environmental infrastructure across the city.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The staff costs resulting from the implementation of the report recommendations will be met from existing revenue budgets within the City Development and Regeneration service.

7.2 All new capital schemes financed from Section 106 contributions require approval from the Policy and Growth Committee as part of the Targeted Budget Monitoring (TBM) process.

7.3 Developer contributions under Section 106 Planning Obligations are considered to be an important source of income in providing or upgrading infrastructure.

Finance Officer Consulted: Gemma Jackson

Date: 19/10/17

Legal Implications:

7.4 The statutory background to securing developer contributions by way of planning obligations is set out in the body of the report. Where a planning obligation is required the planning permission for the development proposed will not be issued until the relevant agreement or undertaking has been concluded.

7.5 It is not considered that the recommendations of the report raise any adverse human rights implications.

Lawyer Consulted: Hilary Woodward

Date: 23/10/17

Equalities Implications:

7.6 Section 106 developer contributions can provide wide benefits for residents and visitors to the city with the timely and effective provision of community infrastructure for example: affordable housing; local employment, recreation space, improved access and education facilities.

Sustainability Implications:

7.7 Sustainable development is a key priority to the council and s106 developer contributions assist in ensuring necessary obligations are secured towards appropriate enabling infrastructure to help provide long-term sustainable transport in the city.

Any Other Significant Implications:

7.8 None.

SUPPORTING DOCUMENTATION

Documents in Members' Rooms

1. None

Background Documents

1. Brighton & Hove City Plan Part One – March 2016
2. Developer Contributions Technical Guidance - March 2017

