




**Brighton & Hove
City Council**

Tourism, Development & Culture Committee

Title:	Tourism, Development & Culture Committee
Date:	17 January 2019
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall, Norton Road, Hove, BN3 3BQ
Members:	Councillors: Robins (Chair), Platts (Deputy Chair), A Norman (Opposition Spokesperson), Drutt (Group Spokesperson), Cattell, Mac Cafferty, Marsh, Mears, Morris and Nemeth
Contact:	John Peel Democratic Services Officer 01273 291058 john.peel@brighton-hove.gov.uk

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AGENDA

PART ONE

Page

PROCEDURAL MATTERS

52 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.

53 MINUTES

7 - 22

To consider the minutes of the meeting held on 22 November 2018.

Contact Officer: John Peel

Tel: 01273 291058

54 CHAIRS COMMUNICATIONS

TOURISM, DEVELOPMENT & CULTURE COMMITTEE

55 CALL OVER

- (a) Items 59 - 64 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.

56 PUBLIC INVOLVEMENT

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

- (a) **Petitions:** To receive any petitions presented by members of the public.
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 11 January 2019.
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 11 January 2019.

Contact Officer: *John Peel*

Tel: 01273 291058

57 ITEMS REFERRED FROM FULL COUNCIL

23 - 28

(a) Petitions

- (i) Beach and seafront access

Contact Officer: *John Peel*

Tel: 01273 291058

58 MEMBER INVOLVEMENT

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;
- (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.

59 BEACH HUTS LICENCE

29 - 34

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: *Ian Shurrock*

Tel: 01273 292084

Ward Affected: *Brunswick & Adelaide;
Central Hove;
Westbourne; Wish*

TOURISM, DEVELOPMENT & CULTURE COMMITTEE

- 60 HOUSES OF MULTIPLE OCCUPATION - EXTENSION TO ARTICLE 4 DIRECTION AREA 35 - 52**
- Report of the Executive Director, Economy, Environment & Culture
Contact Officer: Steve Tremlett Tel: 01273 292108
Ward Affected: All Wards
- 61 ROYAL PAVILION & MUSEUMS ADVISORY GROUP 53 - 60**
- Report of the Executive Director, Economy, Environment & Culture
Contact Officer: Janita Bagshawe Tel: 01273 292840
Ward Affected: All Wards
- 62 ROYAL PAVILION GARDEN PROJECT UPDATE 61 - 92**
- Report of the Executive Director, Economy, Environment & Culture
Contact Officer: Val Birchall Tel: 01273 292571
Ward Affected: All Wards
- 63 ROYAL PAVILION AND MUSEUMS COLLECTIONS POLICIES 93 - 158**
- Report of the Executive Director, Economy, Environment & Culture
Contact Officer: Janita Bagshawe Tel: 01273 292840
Ward Affected: All Wards
- 64 MAJOR PROJECTS UPDATE 159 - 168**
- Report of the Executive Director, Economy, Environment & Culture
- 65 ITEMS REFERRED FOR FULL COUNCIL**
- To consider items to be submitted to the 31 January 2019 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

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

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For further details and general enquiries about this meeting contact John Peel, (01273 291058, email john.peel@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Wednesday, 9 January 2019

BRIGHTON & HOVE CITY COUNCIL
TOURISM, DEVELOPMENT & CULTURE COMMITTEE

4.00pm 22 NOVEMBER 2018

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

MINUTES

Present: Councillor Robins (Chair) Platts (Deputy Chair), A Norman (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Cattell, Marsh, Mears, Nemeth and Phillips

PART ONE

37 PROCEDURAL BUSINESS

37(a) Declarations of Substitutes

37.1 Councillor Allen was present as substitute for Councillor Morris.

37.2 Councillor Philips was present as substitute for Councillor Mac Cafferty.

37(b) Declarations of Interest

37.3 Councillor Norman declared a non-pecuniary interest in Item 47 relating to her role as trustee for the Royal Pavilion & Museums Trust.

37.4 The Chair declared a non-pecuniary interest in Item 47 relating to his role as trustee for the Royal Pavilion & Museums Trust.

37(c) Exclusion of Press and Public

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

37.6 **RESOLVED** – That the press and public not be excluded from the meeting.

38 MINUTES

- 38.1 **RESOLVED-** That the minutes of the previous meeting held on 27 September 2018 be approved and signed as the correct record.

39 CHAIRS COMMUNICATIONS

- 39.1 The Chair provided the following communications:

“463 employers in the city have now joined the Living Wage Campaign which means that over 3,100 wages have been raised since the campaign began 6 years ago. The Brighton & Hove Living Wage Campaign has gone from strength to strength. It is delivered by Brighton & Hove Chamber of Commerce and the Council has helped to support the campaign since it started.

New Living Wage rates were announced earlier this month during Living Wage week; the rate is now £9 per hour for the UK and £10.55 per hour for London. The Living Wage is reviewed every year, independently calculated by the Resolution Foundation and represents a truer calculation of the real cost of living in the UK.

The Small Business Saturday Bus returned to Ship Street today between 10am – 2pm and marked 6 years since the campaign was launched.

The ‘Small Business Saturday Blue Sofa’ made an appearance again, where interviews and exclusive Q&A sessions with local small businesses and experts were streamed via Facebook Live.

There were mentoring sessions offering free support and advice and Inspire workshops that covered accountancy, social media and online marketing. A number of local small businesses were invited to have a stall alongside the bus.

Parliamentary Under Secretary of State at the Department for Business, Energy and Industrial Strategy, Kelly Tolhurst MP attended and Tom Flyn, Small Business Saturday Tour Manager and Patrick Magee, acting CEO of The Start Up Loan Company (SULCO) Chief Commercial Officer for the British Business Bank greeted and hosted the MP.

It has been a busy 2 months working with over 541 City partners engaged in tourism.

Visit Brighton has hosted journalists from National Geographic, En Voyage in-flight magazine and one of the Netherlands largest newspapers – Volksrant. Alongside this it has secured coverage in The Times, The Guardian, The Telegraph and Vogue.

Regionally it has hosted or secured coverage in Kent Messenger, Shropshire Star, Belfast Telegraph and South Wales Argus.

There have been proposals submitted for 16 conference enquiries, which have the potential to generate £7m of economic benefit and confirmed events include Actively Political Studies Association Teaching & Learning Conference, Brighton University Graduation Ceremony, Brighton SEO, Entrepreneurs Bootcamp and the British Society for Paediatric Gastroenterology, Hepatology and Nutrition Conference.

A ‘Votes for Women’ display highlighting Brighton & Hove’s suffrage heritage has been installed in Brighton Museum’s Images of Brighton Gallery to celebrate this year centenary.

The RPM will host a trainee from the British Museum to support digital preservation work, and improving online access to its collections. The trainee will be a young person aged 18-24 and will be funded from the Heritage Lottery Fund’s Museum Futures programme, which aims to open up careers in museums to people from groups which are currently under-represented in the museum workforce. As well as this the RPM is

working with Brighton-based company Bright Interactive to experiment with using artificial intelligence to add searchable keywords to its online collections.

Four new brown tourist attraction signs have been installed to improve wayfinding towards Preston Manor.

The Council's Seafront Team including the beach lifeguards have had a very busy season with one of the hottest summers on record drawing crowds to the beach and swimming in the sea. The statistics for the summer have been collated and the team play a huge role in the safety of the Seafront by providing advice and dealing with incidents. The advisory role was such that on over 35,000 occasions safety advice was provided to help reduce the number of incidents. Unfortunately, incidents are inevitable and the Seafront Team were involved in over 150 incidents of a serious nature such as rescued swimmers. Furthermore, minor first aid treatment was provided to 230 casualties, over 200 people were reported missing and reunited, and action taken at 115 incidents of anti-social behaviour. The Seafront Team provide an excellent service in a challenging environment highlighted by the scale of the issues they address.

The Rainbow Fund which received a contribution of £180,000 from this year's Pride has made a wide range of grants to support LGBT and HIV/Aids projects. The grants from the fund administered by the Sussex Community Foundation included:

£15,000 to The Brighton and Hove LGBT Community Safety Forum "Next Step" project who work with those affected by hate crime, domestic abuse, bullying, and homelessness by supporting them back into education, training, volunteering or work.
£19,901 to Allsorts LGBT youth project who work to address isolation, invisibility and low self-esteem of LGBT children and young people, including Transformers a trans specific project.

£7,640 to The Sussex Beacon to support group work to empower people with HIV to live well.

In addition a number of smaller grants were also provided to a range of other organisations.

Writers, residents, health professionals, artists and entrepreneurs were among 150 delegates who met in Brighton last week - Monday 12 November 2018 - for a Cultural Summit to discuss art in public spaces.

The Cultural Summit, hosted by the Arts & Creative Industries Commission, is one of a series of events for the cultural community and its stakeholders to meet and take forward ideas aligned with Brighton & Hove's new cultural framework, 'Daring to be Different'.

The framework, ratified by the city council in September 2018, aims to build on the city's cultural reputation, strengthen its creative economy, break down barriers, provoke debate and enable collaboration.

The Cultural Summit programme explored a range of topics including, graffiti and street art, the role of art in the community and how art and urban design can contribute to the wellbeing of a place and its residents.

In the past week, I have also attended the Pride Summit, met the Shandog Tourism Development Commission and attended the unveiling of the blue plaque for Minnie Turner".

40 CALL OVER

- 40.1 The Executive Director, Economy, Environment & Culture explained that due to technical error, the full appendices for Item 47: Fees and Charges at Royal Pavilion and Museums 2019+ and Item 48: Pavilion Gardens Conservation Management and

Maintenance Plan had not been included in the agenda. The Executive Director, Economy, Environment & Culture stated that with Members agreement, Item 48 could be deferred to the next Committee meeting in January 2019. However, as the fees for Item 47 were required to be agreed as there would be a number of advance bookings for 2019 and Royal Pavilion and Museum staff would need a fee schedule to confirm those bookings with interested groups. Given the time-limit requirement of the decision, the Executive Director, Economy, Environment & Culture proposed that for Item 47, a should adjournment be held for Members to be provided with and consider the absent appendices and a decision be made at this meeting.

40.2 The Committee agreed to the proposals.

40.3 All items on the agenda were reserved for discussion.

41 PUBLIC INVOLVEMENT

(C) DEPUTATIONS

(i) Beach Hut Licence Consultation

41.1 The Committee considered a Deputation requesting the Council not to proceed with the changing the current Beach Hut Licence.

41.2 The Chair provided the following response:

“Thank you for your deputation and for coming to the committee meeting which follows my attendance at the meeting you recently held for beach hut owners and other interested parties.

It is apparent from the majority of responses that there is not a desire from beach hut owners to see a modernised licence and this will be reflected in the report that will be brought back to committee in January.

While the Hove Beach Hut Association has indicated that it wishes to operate in a way similar to the Brighton & Hove Allotment Federation there are some fundamental differences. A level of statutory provision of allotments is required and the Allotment Federation has adopted a role of assisting the council with voluntary financial support due to the pressure on resources. This is within a context in which allotment holders do not benefit from a capital receipt for a sale of their plot.

The income from Beach Huts forms part of the Council’s Seafront budget from which expenditure is made to provide services such as the Seafront Team (for 365 days a year) and the seasonal beach lifeguard service. The Beach Hut Association needs to be aware that these resources are limited and contribute to a service that covers the whole 11km of Seafront from Hove Lagoon to Saltdean”.

41.3 **RESOLVED-** That the Deputation be noted.

42 MEMBER INVOLVEMENT

(B) WRITTEN QUESTIONS

(i) King Alfred- Councillor Druitt

42.1 Councillor Druitt put the following question:

“How much more time is the council willing to give Crest Nicholson to consider the viability of the King Alfred development, and to what extent has Brexit played a part in the uncertainty surrounding the scheme's viability?”

42.2 The Chair provided the following reply:

“Since receiving the formal offer of £15.2m of Housing Infrastructure Funding in September 2018, the Council has continued to work closely with Crest Nicholson to resolve outstanding commercial matters, and thus progress the project. Increasing costs, a levelling of residential sales values, and ongoing uncertainty around Brexit, have impacted scheme viability in the 3 year period since Crest's appointment. It is recognised that there is now a pressing need to conclude matters and the Council has sought Crest's firm commitment to enter the Development Agreement by the end of 2018. A report is due to be presented to the Policy Resources & Growth Committee at its next meeting on 6th December”

42.3 Councillor Druitt put the following supplementary question:

“It has been reported in the local press that Crest had failed to meet the deadline, could the Chair confirm whether that is the case?”

42.4 On behalf of the Chair, the Executive Director, Economy, Environment & Culture provided the following reply:

“Crest did respond to the deadline of 24 October and there had been further correspondence since to progress matters”.

(ii) King Alfred- Councillor Druitt

42.5 Councillor Druitt put the following question:

“If the Administration had maintained the King Alfred Project Board is there a possibility that the project may have benefited from closer scrutiny, allowing us to have progressed, one way or another, passed the current stage?”

42.6 The Chair provided the following reply:

“Individual Project Boards were replaced in 2016 by the Strategic Delivery Board that oversees, coordinates, and scrutinises all of the Council's major projects. The Board receives a written progress update as a standing item at each meeting and receives more detailed reports and presentations at key stages as necessary. The Board has paid close attention to the King Alfred project, the difficult financial backdrop, and the proposals put forward by the developer during the past 2 years, and considered a detailed report at its meeting on 6th November”

(iii) Churchill Square- Councillor Druitt

42.7 Councillor Druitt put the following question:

“In light of the news that shops are closing at a rate of 14 a day, and with so many empty shops already in Western Road and surrounding streets, is it not time to re-think the expansion of Churchill Square?”

42.8 The Chair provided the following reply

“Whilst the national picture for retail remains one of overall decline in high streets, analysis shows that for those with new business models and where locations remain attractive the picture is very different. Brighton is fortunately regarded by retailers, and retail landlords, as one such place and the evidence bears this out, as vacancy rates remain at 5% in Brighton & Hove, compared to a national rate of 12%. In terms of UK venue retail rankings, Brighton ranks 9th as a major city location, beaten only by Manchester, Glasgow, Birmingham, Leeds, Liverpool, Cardiff, Nottingham and Edinburgh. Retailers in Brighton also trade well and typically over 7% above the chain average. Retailers therefore remain much focussed upon finding outlets in Brighton. Given the strong performance of Brighton for retailers, the main challenge for the Churchill Square expansion would be developing a new shopping destination that will work for the new business models of retailers and ensures that the new centre meets their changing requirements. As consumers are refining what they think is a good shopping experience, the stores and retailers are adapting, meaning the timing is right to begin learning from successful models elsewhere. We can therefore take this opportunity to develop a retail environment more attuned to the shopping and leisure needs for the new century rather than the last”

(C) LETTERS**(i) Support Swift Boxes- Councillor Wealls**

42.9 The Committee considered a Letter from Councillor Wealls requesting that the installation of swift boxes be set out in Planning Policy. The Letter was presented by Councillor Nemeth on Councillor’s Wealls behalf.

42.10 The Chair provided the following response:

“Planning policy at both a national and local level strongly supports the need to protect and conserve biodiversity and to seek enhancements, including measures to extend existing and support new or isolated habitats. These general principles are clearly set out in the adopted City Plan Part One Policy CP10 Biodiversity. The Draft City Plan Part Two Policy DM37 – Green Infrastructure and Nature Conservation builds upon the adopted City Plan Part One and specifically requires proposals for new development to protect and prevent damaging impacts to and, where possible to seek to enhance, protected and notable species and habitats. The supporting text to the policy explains that enhancement opportunities should focus on Brighton & Hove’s local Biodiversity Action Plan habitats and species (Swifts are identified as a priority species). The text also explains that consideration should be

given to the protection of native species and the provision of roosting/nesting boxes for bats/birds including for swifts, house martins and swallows.

The Supplementary Planning Document SPD11 Nature Conservation and Development (SPD 11) includes a clear procedure for identifying existing nature conservation features which may be affected by development and also for quantifying the amount of new nature conservation features which should be delivered either on or off the development site.

There is therefore a very clear and positive planning policy framework which can be used for supporting and enhancing biodiversity in the city, including the city's swift populations. These measures are normally secured by conditions attached to planning consents on major planning applications.

In terms of requiring a standard planning condition for all urban developments to install swift boxes it should be noted that this may not always be appropriate and not applicable to planning applications for changes of use, or for small scale alterations. There may also be issues such as orientation, height, exposure and possibly proximity to known swift nesting sites that would need to be considered in new build development. Planning officers will normally seek advice from the County Ecologist in such matters and it is noted that there is helpful advice / links on the RSPB and Swift Conservation websites.

The representation referred to in your letter from the RSPB on the Draft City Plan Part Two is noted and welcomed. All the consultation responses received on the Draft City Plan Part Two will be fully considered in taking forward any further changes to the Plan towards formal adoption.

As Chair of this Committee I will request that Officers liaise with colleagues to establish to what extent council house repairs, maintenance and refurbishment programmes are incorporating ways of supporting the city's swift population".

42.11 **RESOLVED-** That the Committee notes the Letter.

43 CONWAY STREET INDUSTRIAL AREA MASTERPLAN

- 43.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that requested approval for work to commence of the preparation of a Supplementary Planning Document (SPD) in the form of a masterplan focussed on the Conway Industrial Area.
- 43.2 Councillor Nemeth asked if work would be completed in time for the planning application for the Old Coal site.
- 43.3 The City Regeneration Programme Manager confirmed that the masterplan would have regard to the upcoming proposal however; it was located outside the current development area.
- 43.4 Councillor Cattell noted that there was an outstanding planning appeal for Hove Gardens and asked what impact that might have.
- 43.5 The Head of Planning clarified that the Planning Inspectorate Hearing had been deferred and would now be held on 18th December 2018 and it would be a further two to three months before a determination was known. The City Regeneration Programme Manager supplemented that if the permission was given to the proposed Hove Gardens

development, there would be impact but assumptions on that outcome couldn't be made at this stage.

- 43.6 Councillor Mears noted that the report stated that only the tenant representative at Clarendon had been included in discussions so far and expressed her view that should be extended to all residents. Councillor Mears observed that a revenue grant of £70,000 had been allocated for preparation of the masterplan and asked if that would be sufficient. Furthermore, Councillor Mears asked for clarification on the multi-discipline steering group as referenced at paragraph 5.1.
- 43.7 The City Regeneration Programme Manager clarified that a multi-discipline steering group was a term for a group where several service areas were covered. In relation to the question raised on a sufficient budget, the City Regeneration Programme Manager stated that would be the amount tendered for the contract and no commitments would be made above that budget. In addition, the City Regeneration Programme Manager explained that paragraph 5.1 detailed discussions that had taken place so far and all tenants would be consulted when the application had been determined and the scope of the masterplan was known.
- 43.8 **RESOLVED-** That the Committee authorises the commencement of consultation with local stakeholders in respect of potential Issues and Options, to guide work on the production of a Supplementary Planning Document in the form of a masterplan focussed on the Conway Street Industrial Area.

44 OLD TOWN CONSERVATION AREA MANAGEMENT PLAN

- 44.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that summarised the response to public consultation on the draft Old Town Conservation Area Management Plan and sought approval to publish the final document.
- 44.2 Councillor Allen stated that the Synagogue was one of the most iconic yet least visited fine buildings in Brighton and more needed to be done to make it more accessible and to recognise its significance in Brighton history. Councillor Allen stated that he hoped officers would be in touch with the owners of the building for further discussion.
- 44.3 The Principal Planning Officer answered that the cultural and historical importance of the Synagogue was well understood and a meeting at the site had been held the previous day with representatives of the owners and Historic England that had resulted in a positive outcome.
- 44.4 Councillor Mears stated that there was great local concern about the condition of the Synagogue and Hippodrome and asked what action was intended to be taken.
- 44.5 The Principal Planning Officer replied that officers were keenly aware of the deteriorating condition of the Hippodrome and informal measures had been taken to make reactive repairs and to keep the site secure. The Principal Planning Officer stated that that should there be further deterioration, discussions would be held with Historic England and measures to undertake would be set out. The Principal Planning Officer added that officers were waiting to hear from the owner of the Hippodrome regarding the

future intentions for the building and a meeting was scheduled to discuss long-term planning. In the event the owner refused to maintain the building, a decision would be made on whether to take formal action.

- 44.6 Councillor Mears asked if a site visit could be arranged for the committee.
- 44.7 The Principal Planning Officer confirmed that a request to do so would be made to the owner of the building via the architects.
- 44.8 As ward councillor for the area, Councillor Philips praised the consultation process and reiterated the key issues identified including shop vacancy levels, graffiti and the number of A board and other pavement obstacles in the area.
- 44.9 Councillor Cattell asked if it would be possible to use Section 215 Notices in the area and requested an update on the development between Middle Street and West Street that had received planning permission as she had received no recent information.
- 44.10 With reference to the West Street/Middle Street development, the Principal Planning Officer clarified that since permission had been granted, the applicants had been discharging a number of the conditions on the application.
- 44.11 Councillor Druitt enquired as to the plans for future engagement with the Steering Group and whether an invitation to join the Group could be extended to the owners of the Hippodrome.
- 44.12 The Principal Planning Officer replied that discussions were ongoing as to whether the Steering Group should continue as a monitoring body once the masterplan was approved. The owner of the Hippodrome could be invited to join the Steering Group and that would be brought up at the next meeting with them.
- 44.13 Councillor Druitt noted that one of the recommendations of the masterplan was for an Article 4 Direction and asked whether it was intended to implement the proposal and if so, what the timescales would be.
- 44.14 The Principal Planning Officer explained that Article 4 Direction was one of a number of the recommendations of the report and officers would need to determine the priority of those actions and decide whether such action was necessary.
- 44.15 **RESOLVED-** That the Committee agree that the Old Town Conservation Area Management Plan be approved for publication.

45 ESTATE AND LETTING AGENT BOARD PILOT SCHEME REVIEW

- 45.1 The Committee that set out the outcomes of the pilot project for the voluntary management of residential sales and letting boards in the Coombe Road area and recommended a way forward for managing sales and letting boards outside the Regulation 7 Area, in the context of planning legislation and available resources.

45.2 On behalf of the Conservative Group, Councillor Nemeth moved the following motion to delete recommendation 2.2 and add a new recommendation 2.2, 2.3 and 2.4 as shown in strikethrough and **bold italics** below:

~~2.2 That the committee agrees the preferred option set out in the report which acknowledges that ongoing support for mitigating impacts from estate and letting agent boards will be supported by the Field Officer Team under their agreed citywide functions.~~

2.2 That the committee notes that ongoing support for mitigating impacts from estate and letting agent boards falls within the remit of the Field Officer Team under their agreed citywide functions.

2.3 That the committee agrees to apply to the Secretary of State for a Regulation 7 Direction for a pre-agreed list of streets within and bordering existing Conservation Areas that are not covered by the existing scheme.

2.4 That the committee delegates the Executive Director, Economy, Environment & Culture to agree the pre-agreed list as mentioned in 2.3 following consultation with the Chair of the Committee and having been satisfied that the list meets the guidance on withdrawal of deemed consent as set out in the Planning Practice Guidance.

45.3 Introducing the amendment, Councillor Nemeth stated that he believed previous concerns about Regulation 7 Direction had now significantly reduced due to the increase of online residential management and there was now industry support for the measure. Councillor Nemeth added that a Regulation 7 Direction was required as a voluntary scheme in the areas identified would likely fail.

45.4 Councillor Mears formally seconded the motion adding that page 59 of the agenda made clear that the voluntary scheme had failed and why the motion was necessary.

45.5 The Principal Planning Officer explained that the report to the committee had set out the letter received from the Secretary of State detailing why certain areas would not be included in a Regulation 7 Direction.

45.6 Councillor Nemeth stated that he believed material change had taken place since the Letter to the Secretary of State eight years ago and that the existing scheme had been a great success with only a small amount of enforcement required.

45.7 The Head of Planning stated that the key issue for consideration for the Planning Inspectorate and Secretary of State would be whether there had been a significant change in those areas originally excluded from the Regulation 7 Direction. The Head of Planning noted that the reason for exclusion of those areas in 2010 had been on the basis of the commercial character which remained the case and therefore, the officer advice was not to proceed with Regulation 7 Direction at this time.

45.8 Councillor Druitt stated that on balance, he believed the best way of managing the situation was through Field Officers. Referring to recommendation 2.3 of the

Conservative Group motion, Councillor Druitt asked what the estimated cost of such action was anticipated to be.

- 45.9 The Principal Planning Officer clarified that there was potentially a lot of work involved as any application would likely require a Public Hearing and the Council would need to prepare a case for that Hearing.
- 45.10 Councillor Norman stated her concern about the remit of the Field Officer role and the team's workload.
- 45.11 The Principal Planning Officer explained that support for mitigating impacts from estate and letting agents boards was agreed to part of the Field Officer role from its inception.
- 45.12 Councillor Druitt noted that the committee had agreed the Old Town masterplan and asked if that would have any impact upon any potential Regulation 7 Direction application.
- 45.13 The Principal Planning Officer explained that the Planning Inspector had determined there was significant commercial signage and insufficient residential properties to implement a Regulation 7 Direction.
- 45.14 The Chair then put the motion to the vote that failed.
- 45.15 The Chair then put the recommendations as detailed in the report to the vote that passed.
- 45.16 **RESOLVED-**
- 1) That the committee notes the actions undertaken as part of the Coombe Road Area Pilot Project - a scheme for the voluntary management of lettings and sales boards agreed by the Economic Development & Culture Committee in November 2016 (implemented between June 2017 and June 2018) and the outcomes.
 - 2) That the committee agrees the preferred option set out in the report which acknowledges that ongoing support for mitigating impacts from estate and letting agent boards will be supported by the Field Officer Team under their agreed citywide functions.

46 COMMUNITY INFRASTRUCTURE LEVY - STATEMENT OF MODIFICATIONS TO THE DRAFT CHARGING SCHEDULE

- 46.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out the results of the consultation on the published Community Infrastructure Levy (CIL) Draft Charging Schedule and sought approval to publish a CIL Draft Charging Schedule to an examination in accordance with the Planning Act 2008 (as amended) and CIL Regulations 2010 (as amended).
- 46.2 Councillor Druitt noted that the Gas Works site had potentially been identified as a site for nil CIL rating yet this would mean residents and the council would be subsidising the

significant clean-up operation that would be required at the site and that in turn would set a poor precedent for similar sites.

- 46.3 The Planning Manager stated that the purpose for CIL was to fund the cumulative impacts of development so the charging schedule and the work that underpinned it was based upon planned amounts of development. The Gas Works site was identified in the City Plan Part 1 to bring forward residential and employment development and CIL would have to strike a balance between securing investment but also not prejudicing development coming forward.
- 46.4 Referring to paragraph 3.7 of the report, Councillor Mears noted that three of the sites were in Rottingdean Coastal ward and a major review of the A259 in that location would be required as it already suffered congestion.
- 46.5 **RESOLVED-**
- 1) That the Committee notes the CIL Statement of Representations made on the Draft Charging Schedule 2018 (Appendix 3) and subsequent recommendations arising from the CIL Viability Study Addendum 2 (Nov 2018) (Appendix 4) which have informed a CIL Draft Charging Schedule Statement of Modifications (Appendix 1).
 - 2) That the Committee agrees to publish the CIL Draft Charging Schedule Statement of Modifications (Appendix 1) which will form part of the Draft Charging Schedule submission to an examination, as agreed by this committee in March 2018, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended), and to authorise the Head of Planning to make any necessary minor editorial/grammatical amendments to these modifications prior to submission.
- 47 **FEES AND CHARGES AT ROYAL PAVILION AND MUSEUMS 2019+**
- 47.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval for fees and charges for the Royal Pavilion & Museums services for 2019/20 and where applicable, 2020/21.
- 47.2 Councillor Norman asked for clarification on pricing for under 5's as the cover report stated that admission would remain free yet the appendix stated that all ages up to 15 years old would be charged admission.
- 47.3 The Head of Enterprise & Visitor Services explained that this was an error in the report and admission for under 5's would remain free.
- 47.4 Councillor Mears thanked officers for their work and commended the clarity and quality of the report.
- 47.5 Councillor Allen welcomed the three year loan from 2019/20 of key objects and expressed his hope that loan could be extended beyond that period. Councillor Allen not that a significant rise in fees was proposed for students and hoped that could be closely monitored.

- 47.6 The Head of Royal Pavilion & Museums clarified that any fee increase was carefully monitored to assess its impact and adjustments were made as appropriate. The Head of Enterprise & Visitor Services added that any students based in the city would qualify for the lower, resident adult fee.
- 47.7 Councillor Druitt noted that the report detailed that an increase in prices would enable the offer of better discounts to third-party sellers and group discounts and in turn increase take-up. Councillor Druitt asked an impact assessment had been undertaken in relation to the increases and evidence from previous years regarding the general impact of an increase in prices.
- 47.8 The Head of Enterprise & Visitor Services explained that value for money statistics was closely monitored and visitor feedback on value for money was positive for all attractions. The Head of Enterprise & Visitor Services added that detailed trends were shared with partners via the Visit England attractions monitoring as well as sharing information with city based attractions on specific local trends. In relation to third-party sales, a travel trade review had been undertaken as well as significant benchmarking on the issue and that showed that the group discounts offered at the city's attractions was much lower than other national visitor attractions. Furthermore, discussions had been held locally with language schools and coach trip organisers where the same point had been made.
- 47.9 Councillor Platts thanked officers for the high standard of the report and welcomed the free elements of the pricing structure for local people.

47.10 RESOLVED-

- 1) That the Committee approves the fees and charges for Admissions for 2019-21 set out in Appendix A to bring RPM in line with competitors and provide opportunities to maximise future income growth for the service.
- 2) That the Committee approves the fees and charges for Room Hire set out in Appendix B.
- 3) That the Committee approves the fees and charges for Photography & Reproduction set out in Appendix C.
- 4) That the Committee approves fees and charges for Schools, Guiding and Bookings for 2019/20 in set out in Appendix D.

48 EVENTS IN PARKS AND OPEN SPACES 2019

- 48.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval from Members for landlord's consent for the proposed programme of events in parks and open spaces in 2019.
- 48.2 Councillor Cattell expressed concern for events that led to sections of Preston Park being closed that often led to a level of correspondence received by residents and asked how long the closure would be for.

- 48.3 The Events Manager clarified that the comedy festival event was of small scale that would only take up a small area of Preston Park and would be closed for 7 to 10 days.
- 48.4 Councillor Norman asked who would be responsible for clearing up the area after the event.
- 48.5 The Events Manager answered that it was the responsibility of the event organisers and the council received a bond that could be withheld if the clean-up was not to a satisfactory standard.
- 48.6 Councillor Druitt noted that the committee had agreed in the previous year to consider other aspects in the Events Policy such as a requirement that organisation pay a living wage, that single-use plastics be used and an environmental improvement levy made and asked upon the current status of that proposal.
- 48.7 The Executive Director, Economy, Environment & Culture explained that organisers were already required to complete a sustainability checklist adding that the new Events Strategy was being drafted and would be considered by the committee at a future meeting.

48.8 **RESOLVED-**

- 1) That the committee grants landlord's consent for the events listed in Appendix 1.
- 2) That the committee authorise officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate.
- 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.

49 OUTDOOR EVENTS – MADEIRA DRIVE ROAD CLOSURES 2019

- 49.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval for landlord's consent of the proposed programme of events on Madeira Drive in 2019 and associated road closures.
- 49.2 Councillor Philips stated that she often received correspondence from residents about car events on Madeira Drive and the need for road closures and she was unsure that quite so many were needed in that location.
- 49.3 Councillor Mears stated that the events brought a number of people to the city and Madeira Drive was the safest part of the city to hold them as well as being an historical landmark.
- 49.4 Councillor Druitt noted that the Madeira Drive cycle route had been open during the Veteran Car Rally and asked if that represented a shift in policy as the route was often closed during such events.

- 49.5 The Events Manager explained that since the closure of Madeira Terraces, it had been difficult to open the cycle routes due to the added restrictions upon space. Furthermore, there were a handful of events where the cycle route had to be closed such as the Brighton Marathon where the start/finish line crossed the cycle route.
- 49.6 Councillor Druitt asked if it would be possible to re-route the cycle route rather than close it.
- 49.7 The Events Manager confirmed that option could be explored and he would liaise with colleagues in the Highways team.
- 49.8 Councillor Nemeth stated his support for car events on Madeira Drive which were an attraction for people from around the world.
- 49.9 Councillor Platts welcomed the report adding that further consideration could be given to the comments made by Members.
- 49.10 **RESOLVED-**
- 1) That the committee grants landlord's consent for the 2019 programme of events on Madeira Drive and the associated road closures as listed in Appendix 1.
 - 2) That the committee authorises officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate.
 - 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.

50 MAJOR PROJECTS UPDATE

- 50.1 The Committee received an update on progress made on Major Projects since the previous meeting.
- 50.2 Councillor Mears asked when Policy, Resources & Growth Committee would receive an update on the boundary changes on the proposed Whitehawk development.
- 50.3 The Assistant Director City Development & Regeneration stated that the report would be received to a future PR&G Committee following consideration of the issue by the Limited Liability Partnership Board.
- 50.4 Councillor Cattell stated that she welcomed the progress made on a number projects, particularly Circus Street and Preston Barracks.
- 50.5 Councillor Druitt asked what the proposed community use at Madeira Terraces would be; expressed concern relating to the knock on effect the Waterfront development would have upon shop vacancy rates and the potential for an expanded Churchill Square site to increase congestion in the city. Furthermore, Councillor Druitt asked if housing could be considered as part of the expansion of Churchill Square given the lack of available

housing in the city. In addition, Councillor Druitt stated that whilst he was supportive of the Living Wage Joint Venture however, it was clear that for a number of reasons, mainly around the ecological importance of the Whitehawk Hill site, he would appeal to that an alternative site be found.

- 50.6 The Assistant Director City Development & Regeneration replied that the Living Wage Joint Venture were continuing to look at sites on an ongoing basis, that the proposals for the Waterfront and expansion of Churchill Square would be received in detail in two to three years and that would be the opportunity to consider alternative uses such as housing as well as traffic and congestion assessments. The Assistant Director City Development & Regeneration added that the hut to be located on Madeira Terrace was initially intended to create an onsite presence and would eventually become the site office for the regeneration.

51 ITEMS REFERRED FOR FULL COUNCIL

- 51.1 No items were referred to Full Council for information.

The meeting concluded at 7.40pm

Subject:	Items referred from 13 December 2018 Full Council meeting- Petitions		
Date:	17 January 2019		
Report of:	Monitoring Officer		
Contact Officer:	Name:	John Peel	Tel: 01273 291058
	E-mail:	john.peel@brighton-hove.gov.uk	
Wards Affected:	Various		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To receive any petitions referred from the Full Council meeting of 13 December 2018.

2. RECOMMENDATIONS:

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

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

3. PETITIONS

3. (i) Beach and seafront access – Claire Nelson

To receive the following petition for debate referred from the meeting of Full Council and signed by 1725 people:

"We the undersigned petition Brighton & Hove Council to improve access to the city's beach for all disabled people and those with access needs, including children, elderly people and people using mobility equipment."

Many local residents cannot equally access the seafront, the beach and the sea as current beach access is not adequate for people with a wide range of needs and impairments.

We have sent people to the moon, but cannot enable all people to get down into our sea.

Improved access will also support the reputation of Brighton & Hove as a forward-thinking and inclusive tourist destination”

Note: An extract of the proceedings of Full Council can be found at Appendix 1

Subject:	Access to the City's Beaches – Petition for Debate:	
	Extract from the proceedings of the Council Meeting held on the 13 December 2018	
Date of Meeting:	17 January 2019	
Report of:	Executive Lead Officer 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 petition referred from the Council for consideration.

Recommendations: That the Committee be requested to call for a costed report outlining options for accessibility to Brighton and Hove beach front, recommending options that best meet the needs of those less mobile and in need of assistance.

Petition:

“We the undersigned petition Brighton & Hove Council to improve access to the city’s beach for all disabled people and those with access needs, including children, elderly people and people using mobility equipment.”

Additional Information:

Many local residents cannot equally access the seafront, the beach and the sea as current beach access is not adequate for people with a wide range of needs and impairments.

We have sent people to the moon, but cannot enable all people to get down into our sea.

Improved access will also support the reputation of Brighton & Hove as a forward-thinking and inclusive tourist destination.

Lead petitioner: Claire Nelson

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 13 DECEMBER 2018

COUNCIL CHAMBER - HOVE TOWN HALL

MINUTES

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

PART ONE

42 PETITIONS FOR COUNCIL DEBATE

(1) ACCESS TO THE CITY'S BEACHES

- 42.1 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 1 such petition. She also noted that there was an amendment to the covering report's recommendation from the Green Group.
- 42.2 The Mayor then invited Claire Nelson, Harriet Cavanagh and Hannah Loach to come forward and present the first petition.
- 42.3 The petitioners thanked the Mayor and stated that the petition resulted from the need to improve access to the city's beaches for those people with mobility difficulties. Whilst it was recognised that limited facilities were available such as all-terrain wheel-chairs, there were only 2 and they had to be pre-booked with a deposit included. Ms. Nelson stated that she had worked with SCOPE to highlight the problems faced by those people with mobility impairments to access the city's beaches and in raising the issue she hoped that the council would look at finding solutions to improve accessibility. She noted that other neighbouring authorities provided more help and hoped that something could be done in Brighton and Hove. The petitioners noted that they had 1,787 on-line signatures and a further 114 on paper making a total of 1,901.
- 42.4 Councillor Platts thanked both petitioners for bringing the petition to the council meeting and stated that it was an issue that was close to her heart. She accepted that there were access difficulties and welcomed the work undertaken with SCOPE to find solutions and suggested that representatives from SCOPE and the petitioners should meet with officers to look at how improvements could be made. She was aware that am

accessible lift had been provided as part of i360 project and that an area for an accessible platform had been identified along the West Beach. She also noted that Councillor Robins, in his absence from today's meeting, as Chair of the Tourism, Development & Culture Committee had asked her to extend an invitation to the petitioners to meet with him in the New Year.

- 42.5 Councillor Knight welcomed the petition and moved an amendment on behalf of the Green Group, which called for the Tourism, Development & Culture Committee to request that a costed report outlining options for accessibility to the beach front be brought to a future meeting. She recognised that funding would be required for any improvements to be achieved but felt that there was a need to undertake some work to identify what options would be available to be in a position to make an improved offer to those people with accessibility difficulties.
- 42.6 Councillor Phillips formally seconded the amendment.
- 42.7 Councillor K. Norman stated that he believed the council should have been a far better position in regard to its accessibility offer, having secured the provision of all-terrain wheel-chairs some time ago. He was surprised that other authorities appeared to have more facilities than Brighton and Hove and hoped that this could be addressed in the future.
- 42.8 Councillor Platts noted the comments and stated that she was happy to accept the amendment.
- 42.9 The Mayor thanked the petitioners for attending the meeting and presenting the petition, and noted that the Green Group's amendment had been accepted. She therefore put the revised recommendations to the vote which were carried unanimously.
- 42.10 **RESOLVED:**
- (1) That the petition be noted and referred to the Tourism, Development & Culture Committee for consideration at its meeting on the 17th January 2019, and
 - (2) That the Committee be requested to call for a costed report outlining options for accessibility to Brighton and Hove beach front, recommending options that best meet the needs of those less mobile and in need of assistance.

Subject:	Beach Huts Licence		
Date of Meeting:	17th January 2019		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:			
	Name:	Ian Shurrock	Tel: 01273 292084
		Toni Manuel	01273 290394
		Jane Pinnock	01273 290568
	Email:	ian.shurrock@brighton-hove.gov.uk	
		Toni.manuel@brighton-hove.gov.uk	
		Jane.pinnock@brighton-hove.gov.uk	
Ward(s) affected:	Brunswick & Adelaide; Central Hove; Westbourne; Wish.		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 At the January 2018 meeting of the Tourism, Development & Culture Committee a report on Fees and Charges for Sport & Leisure, Venues and Libraries was considered. That report included proposals to increase the beach hut licence fee and beach hut transfer fee which were approved.
- 1.2 Subsequently it was identified that the terms and conditions of the beach hut licence did not enable such an increase of the transfer fee (called the administration charge in the existing terms) to be implemented under the current licence terms. A report was considered by the committee in June 2018 seeking approval for revised terms and conditions for the beach hut licence to modernise the terms and conditions.
- 1.3 The report was deferred to the September 2018 meeting of the committee when it was agreed that consultation with beach hut owners on the proposed modernised beach hut licence should take place. The committee would then consider implementation of the new beach hut licence subject to the consultation response at a future meeting. This report provides the outcome of that consultation with the recommendation to retain the existing licence.
- 1.4 The increase in the annual licence fee for beach huts for 2018/19 which was agreed by committee in January 2018 was not implemented. This was due to the appropriate notice not being given to beach hut owners. Therefore, it is proposed that this increase is implemented for the financial year 2019/20 instead as part of the annual review of fees and charges.

2. RECOMMENDATIONS:

- 2.1 That the committee notes the outcome of the consultation with beach hut owners on the proposed modernised beach hut licence.
- 2.2 That the committee agrees to retain the existing beach hut licence and not introduce a new licence at this stage.
- 2.3 That the committee agrees the increase in the annual licence fee for beach huts for 2019/20 as outlined in paragraph 3.6.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 There are 459 wooden beach huts on Hove seafront that are privately owned by Brighton & Hove residents. In addition, the council rents beach chalets which are available in blocks located in Hove, Madeira Drive and Rottingdean.

Beach Hut Licence Consultation

- 3.2 The existing beach hut licence and terms & conditions had the potential to be modernised in order to provide better clarity across a range of areas. A review had been undertaken with Legal Services of the existing licence and terms & conditions.
- 3.3 Following committee approval for the consultation exercise, a letter was issued to each of the beach hut owners with a copy of the existing licence and the proposed new licence with the substantive changes highlighted. Owners could then respond on the proposed changes via a specific email address or by letter.
- 3.4 In addition, prior to the launch of the consultation the Hove Beach Hut Association (HBHA) was formed as a representative body for beach hut owners. The Association held an open meeting on Tuesday 6th November which was attended by the Chair of the Tourism, Development & Culture Committee, other elected members and officers. The view of the majority of owners present at that meeting was to retain the existing licence. This was also reflected by the majority of those that responded to the consultation which is summarised below. There were 142 responses received from the 459 owners. The recommendation is therefore to retain the existing licence.

Requests to remain with the existing licence	Agree to changes in licence but with significant caveats	Agree to changes in licence
98	28	16

Beach Hut Licence Fee 2019/20

- 3.5 The annual licence fee for the owner's hut to be placed on Council land is currently £367.20 inc. VAT (£306.00 excl VAT) for the year 2018/19 giving an annual income to the Council of £140,454 (net of vat).
- 3.6 The proposal for the annual licence fee for the year 2019/20 is for an increase of 10% to £404. These changes would still mean Brighton & Hove has a lower charge than those made by a number of neighbouring authorities as per below. This level of increase was previously agreed by members at committee in January 2018 for the financial year 2018/19. However, as the appropriate notice to the Beach Hut owners was not given, the increase was not implemented.

<u>Local Authority</u>	<u>Location</u>	<u>Licence Fee (inc VAT)</u>
Rother District Council	Bexhill	£500 pa
Adur and Worthing	Worthing Lancing/Shoreham Beach	£590 pa £445 pa
Arun District Council	Felpham and Littlehampton	£518.69 pa
Wittering Estates PLC (private estate)	West Wittering	£445 pa
Seaford Town Council	Seaford	£406.50-£500pa
		Licence Fee (inc VAT)
Brighton & Hove City Council	Current	£367.20
Brighton & Hove City Council	Proposed	£404.00

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The consultation process informed the consideration of the potential implementation for a new licence.
- 4.2 The rationale for the proposed increase in the licence fee is included in the body of the report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 As referenced in the body of the report.

6. CONCLUSION

- 6.1 Following the outcome of the consultation with beach hut owners on the proposed modernised Beach Hut licence, that the existing licence is retained.

- 6.2 An above inflation increase of the beach hut annual licence fee would still mean a reasonable fee is charged, particularly when compared with neighbouring local authorities.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 7.1 As part of the council's Financial Regulations proposed changes to fees and charges that are above or below the budgeted rate of inflation are brought back to service committees for approval. The anticipated recurring financial impact of fee changes will be reflected within the service revenue budgets and contribute toward the income targets associated with the service. Based upon the current number of huts the 10% increase in licence fee would generate an estimated additional £14,082 income for the year (net of vat). This income would support the Seafront Services revenue budgets. Income budgets will be reviewed as part of the budget monitoring process and reported through the Targeted Budget Monitoring reports through the year.

Finance Officer Consulted: Rob Allen

Date: 11/12/18

Legal Implications:

- 7.2 The current licence provides that the annual licence fee is subject to change each year and that notice of any increase must be given to licensees "at least 2 months prior to 1st April in any year".

The recommended licence fee increase is in accordance with the Corporate Fees and Charges Policy.

Lawyer Consulted: Hilary Woodward

Date: 11/12/18

Equalities Implications:

- 7.3 Beach huts are available to purchase by residents privately or via local estate agents. The council provides beach chalets for an annual rent which do not require significant capital outlay.

Sustainability Implications:

- 7.4 None

Any Other Significant Implications:

- 7.5 None

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. Report to Tourism, Development & Culture Committee on 11 January 2018 on Fees and Charges for Sport & Leisure, Venues and Libraries 2018/19.
2. Reports to Tourism, Development & Culture Committee on 21st June 2018 and 27th September 2018 on Beach Huts – Licence terms and conditions.

Subject:	Houses of Multiple Occupation - Extension to Article 4 Direction Area		
Date of Meeting:	17 January 2019		
Report of:	Executive Director, Economy, Environment and Culture		
Contact Officer:	Name:	Steve Tremlett	Tel: 01273 292108
	Email:	steve.tremlett@brighton-hove.gov.uk	
Ward(s) affected:	All Wards except Hanover and Elm Grove, Moulsecoomb and Bevendean, Hollingdean and Stanmer, Queen's Park and St. Peter's and North Laine;		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report seeks authorisation for making an Article 4 Direction to extend the removal of permitted development rights, which allow changes of use from small houses (Class C3) to small Houses in Multiple Occupation (Class C4) beyond the five wards of the city already covered by an Article 4 Direction made in 2013.
- 1.2 The report responds to the decision made at the June 2018 Tourism Development & Culture Committee to support an evidence gathering exercise to examine whether extending the Article 4 Direction boundary (which removes permitted development rights to changes of use from dwellinghouses to small HMOs) could be justified. The report summarises the evidence reviewed and considers options to take forward such an extension.

2. RECOMMENDATIONS:

- 2.1 That the Committee notes the evidence presented in this report as a response to the decision of the June 2018 TDC Committee to support an evidence gathering exercise to assess the impact of HMOs in areas of the city outside the existing Article 4 Direction area.
- 2.2 That the Committee authorises the making of a citywide non-immediate direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to remove the permitted development right for the change the use of a building from a dwelling house (Class C3) to a House in Multiple Occupation (Class C4) for the reasons outlined in this report.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 At the June 2018 meeting, the Tourism, Development & Culture Committee supported an evidence gathering exercise to assess the impact of HMOs in areas of the city outside the existing Article 4 Direction area. A recommendation was approved that following the evidence review, a report be brought back to this Committee with a recommendation on whether and where to extend the Article 4 Direction that removes the permitted development rights relating to changes of use from dwellinghouses to small HMOs.
- 3.2 A House in Multiple Occupation, commonly known as a HMO, is a property occupied by at least three people who are not from one 'household' (e.g. a family) but share facilities such as a bathroom and kitchen. Examples include bedsits, shared houses, lodgings, accommodation for workers/ employees and refugees. Planning use classes distinguish between 'small' HMOs of up to six people (C4 use class), and 'large' HMOs of seven or more occupants which are *sui generis*.
- 3.3 The cost of housing in the city and overall shortage of new planned housing compared to the assessed need means that many young professionals, students and other people on low incomes live in HMOs.
- 3.4 Concentrations of HMOs can cause a number of negative impacts on local communities, for example more frequent noise nuisance, depopulation of neighbourhoods during academic vacations, increased pressure on parking due to higher population densities, and higher levels of population transience leading to a possible longer-term breakdown of community cohesion.
- 3.5 In April 2010, the Town and Country Planning (Use Classes) Order 1987 was amended by the introduction of a new C4 use class covering small Houses in Multiple Occupation, defined as "*Use of a dwellinghouse by not more than six residents as a "house in multiple occupation".*" On 1 October 2010, the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2010 came into force. This introduced a permitted development right to change the use of a building from a single house (C3) to a House in Multiple Occupation (C4) without the need to make a planning application.
- 3.6 Local planning authorities have powers to make an Article 4 Direction under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to remove permitted development rights.
- 3.7 In January 2013, an Article 4 Direction was confirmed by Policy & Resources Committee within the wards of Hanover and Elm Grove, Hollingdean and Stanmer, Queen's Park and St. Peter's and North Laine which removed the permitted development right which allowed changes of use from a dwellinghouse (use class C3) to a small HMO (use class C4) without planning permission. No permitted development rights apply to changes of use to large HMOs and these require planning permission citywide.
- 3.8 In determining planning applications for such changes of use, City Plan Part One Policy CP21 is applied. This policy states, in summary, that applications for HMOs will not be permitted where more than 10 per cent of dwellings within a

radius of 50 metres of the application site are already in use as an HMO. This policy has been effective in preventing further proliferation in areas which already have dense concentrations of HMOs. However, it cannot be applied retrospectively, so many areas of the city within the existing Article 4 area have high concentrations which would not now be allowed. Further criteria to help manage concentrations and residential amenity are proposed through an additional policy in the draft City Plan Part Two. This was subject to public consultation in summer 2018.

Evidence

- 3.9 An analysis of existing HMO distribution and density has been undertaken based on known existing HMOs in October 2018 (see Appendix 1). Data used was sourced from Revenues and Benefits showing properties with student Council Tax exemptions, and data from the Private Sector Housing Team showing licensed HMOs. This data has been analysed at Super Output Area (SOA)¹ level in order to more clearly identify areas of particular concentration (see Appendix 2). Using SOAs instead of ward level density allows localised variations in HMO density to be more clearly identified.
- 3.10 The majority of HMOs are within the wards covered by the existing Article 4 Direction, and SOAs in this area have the highest concentrations. However, there are significant numbers of HMOs outside this area, including some pockets with very high concentrations, notably in the area bordered by the London Road railway viaduct, New England Road and Beaconsfield Road. Other SOAs with higher concentrations are found in the East Brighton and Regency wards. However, significant numbers of HMOs are distributed throughout the city, albeit at lower levels, with the majority of SOAs in the city recording between 0% and 2% of properties as known HMOs.
- 3.11 Concerns about the negative amenity impacts of increasing numbers of HMOs have been raised by communities in a number of areas of the city outside of the existing Article 4 area. These include East Brighton, Preston Park and Withdean wards.

Housing Market Analysis

- 3.12 The latest Brighton & Hove Housing Market Report (Q3 2018) highlights the severe housing affordability issue in the city, with the average property price in the city being 48% higher than the overall average for England and Wales. Property prices in the city are also considerably higher than in neighbouring areas. Further detail is set out in Appendix 5.
- 3.13 Affordability pressures are unlikely to be eased to any significant extent through the delivery of additional housing supply. The objectively assessed housing need for the city is estimated to be 30,120, significantly higher than the adopted housing provision target of 13,200 new homes. This target is contained in Policy CP1 of the City Plan Part One was considered by the City Plan Inspector to be a realistic, deliverable quantum of housing over the Plan period to 2030. Demand for new housing is therefore very likely to continue to outstrip supply, and with

¹ Super Output Areas are used in the analysis of census data and are automatically generated to be as consistent in population size as possible. The Minimum population is 1000 and the mean is 1500.

similar pressures in many neighbouring authorities, it is expected that affordability pressures will remain and demand for cheaper HMO accommodation will be sustained.

3.14 Having considered the available evidence, the Committee is recommended to make a new citywide Article 4 Direction (excluding that part of the city in the South Downs National Park). Whilst it is recognised that there are some parts of the city which currently have few HMOs, there are a number of reasons for proposing a citywide approach:

- It provides a proactive strategic approach to HMO management in the city, providing long-term certainty for developers and communities by avoiding the need for further reactive incremental extensions
- Prevents concentrations getting too high before action is taken;
- Proactive approach reduces pressure on officer time in the longer term;
- The affordability pressures which could result in increased demand for HMOs are a citywide issue;
- Avoidance of a 'cliff-edge' scenario where streets immediately adjacent to the boundary of an Article 4 Direction area attract higher levels of HMO development due to planning permission not being required. This situation has transpired in some areas of the city in recent years in part due to the proximity to the boundary of the existing Direction.
- The existing Article 4 Direction was primarily introduced in response to demand from students causing change of use to HMO in the Lewes Road academic corridor. Due to the expected stabilisation of university student numbers and the increase in the supply of Purpose Built Student Accommodation, it is expected that much of the future additional demand for HMO accommodation will stem from non-student groups who are likely to be more flexible over the location of their accommodation.
- Alignment with the citywide area for licensing HMOs. This approach will avoid confusion and ensure that requirements for licensing and planning consent are consistent throughout the city.

3.15 It is important to note that an extension of the Article 4 Direction will not, and is not intended to, halt further HMO development. Rather, the Direction and the current and emerging City Plan policies would give the city council greater ability to manage the outcome of change of use applications across the city through the planning process in order to help maintain balanced and sustainable communities. It would also allow the consideration of other planning matters such as the standard of living for future occupiers which cannot be considered through the planning process where permitted development rights apply. The intended result is a more even spread of HMOs. In those parts of the city where there are low HMO concentrations it is expected that the number of applications will be relatively low, and those that are received are likely to be approved.

Article 4 Directions

3.16 Two types of Article 4 Direction can remove permitted development rights. An article 4 direction can take effect immediately, but this must be confirmed by the local planning authority following consultation within six months or it will lapse. Secondly, a non-immediate Article 4 Direction may be made which results in

development rights being withdrawn only upon confirmation of the Direction following local consultation.

- 3.17 The National Planning Practice Guidance states that there should be “*justification for both [the] purpose and extent*” of a Direction with their use “*limited to situations where this is necessary to protect local amenity or the wellbeing of the area*” and the “*potential harm that the direction is intended to address should be clearly identified*”. The Guidance also states that “*There should be a particularly strong justification for the withdrawal of permitted development rights relating to a wide area*”.
- 3.18 A Direction coming into effect immediately would have the clear advantage of immediately allowing the Council to manage new C4 HMOs in the proposed extension area. However, it would also expose the Council to potentially very high levels of compensation liability in cases where applications submitted within the first 12 months of the removal of the permitted development rights were refused or granted subject to conditions. Such compensation would be based, in part, on the difference in property values arising from the Council’s decision.
- 3.19 A non-immediate direction, with a prior notice period of 12 months, would avoid compensation liability and also allow the results of local consultation to be taken into account in advance of the Council deciding to confirm the direction and remove permitted development rights. The decision to confirm the Direction would be taken by this Committee in a year’s time. However, there would be a delay in the Council’s ability to manage additional C4 HMOs during the notice period. However, as existing concentrations are relatively low in much of the area proposed for the extension, this is not likely to cause a significant problem.
- 3.20 Given the potentially high compensation payments arising from an immediate Article 4 Direction, the benefits of consultation before making a direction and the relatively limited number of changes of use likely over the 12 month implementation period, it is considered that a non-immediate Article 4 Direction is the preferred option.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Not seeking an extension to the Article 4 Direction would allow the market to respond to demand for HMOs in the city by locating them in areas of greatest demand. However, it is considered that the high concentrations of HMOs in some locations are having a negative effect on the amenity and sustainability of neighbourhoods and that this would be exacerbated and occur over a wider area if no action is taken. An extension to the Article 4 Direction at this time is therefore appropriate.
- 4.2 Two alternative options for the geographic extent of the Article 4 Direction extension have been considered and discounted. These are set out below, with an indication of possible geographic extent for each included as Appendices 3 and 4 to this report:

a) A small extension to areas with clear evidence of significantly higher levels of existing HMOs. This option was discounted as it was considered to be a reactive approach to the current issue and would only control further HMO development

in areas where the negative effects of higher proliferations were already becoming apparent.

b) A broader extension to include additional areas which are either in close proximity to known areas of HMO demand (for example the universities and Royal Sussex County Hospital); existing areas of higher HMO proliferation; or characterised by traditional residential streets of the type which have historically been attractive to HMO developers. This option was discounted for a number of reasons:

- Difficulty in providing reasonable justification for the inclusion of some streets and the exclusion of others;
- The possibility of streets immediately adjacent to the boundary of the Direction, but not within in it, attracting higher levels of HMO development in the future as planning permission would not be required;
- Inconsistency with the citywide licensing requirements for small HMOs;
- The affordability pressures which could result in increased demand for HMOs are a citywide issue.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The June 2018 report was, in part, a response to a petition submitted to the Committee in January 2018 entitled "Petition to restrict number of HMOs on Bennett Road, Bristol St and Princess Terrace and preserve our lovely community spirit which is alive and well". A response to the petition was given to the Committee at that time.
- 5.2 A letter was received from Councillors Morgan, Platts and Mitchell in support of East Brighton Ward being evaluated for coverage by an Article 4 Direction in order to better manage the spread of Houses in Multiple Occupation (HMOs) in the area. The letter notes the concern of local residents regarding increasing numbers of HMOs in that area.
- 5.3 Correspondence has also been received from the Argyle and Campbell Roads Residents' Association expressing concern over the impact of HMO proliferation in that area of the city. Further correspondence has been received from members representing communities in Withdean ward and the Robertson Road area in Preston Park ward.
- 5.4 Following the making of an Article 4 Direction, a consultation period will take place for a minimum of 21 days, as required by the Town and Country Planning (General Permitted Development) (England) Order 2015. After assessment of the responses, the Council will decide whether to confirm the direction. Consultation details will also be published on the council's website.

6. CONCLUSION

- 6.1 An extended Article 4 Direction would, if confirmed, extend the Council's ability to manage the concentration of HMO accommodation across the city and assist in the maintenance of sustainable and balanced communities.

- 6.2 Three options for the geographical extent of an extended Article 4 Direction have been considered, and the recommendation is that the evidence supports the Committee authorising the making of a citywide Direction (excluding the South Downs National Park). This will require a case to be made as part of a non-immediate Article 4 direction. The Secretary of State must be sent a copy of the Direction and may cancel it if they consider a case has not been made out.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications resulting from this report. In the event that Article 4 Direction is extended in the future any financial impact directly resulting from additional planning permissions being sought will be reflected in the planning revenue budget.

Finance Officer Consulted: Rob Allen

Date: 11/12/18

Legal Implications:

- 7.2 The Town and Country Planning (General Permitted Development) (England) Order 2015 grants planning permission for certain types of development, including, in Schedule 2 Part 3 (Class L), changes of use from a C3 dwellinghouse to a C4 small HMO and vice versa. A planning application would not therefore be required for such development unless the permitted development right had been removed.
- 7.3 Permitted development rights may be removed by way of an Article 4 Direction. This is a reference to Article 4 of the 2015 Order whereby a local planning authority ("LPA") may make a direction if it is satisfied that it is expedient that development that would otherwise be permitted development should not be carried out unless permission is granted on an application. Once made, the direction must be advertised by the LPA and representations invited. Any representations made within the relevant time period must be taken into account by the LPA in considering whether to confirm the direction. A copy of the direction must be sent to the Secretary of State who may cancel or modify it at any time before or after its confirmation.
- 7.4 Where a LPA makes an Article 4 direction the authority may be liable to pay compensation if it then refuses planning permission for development which would otherwise have been permitted development or grants planning permission subject to more limiting conditions than prescribed by the 2015 Order. However, s108 of the Town and Country Planning Act 1990 and the Town and Country Planning (Compensation) (England) Regulations 2015 provide that where permitted development rights for certain types of development, including C3 to C4 and C4 to C3 changes of use, are withdrawn, no compensation is payable provided at least 12 months' notice of withdrawal is given.

Lawyer Consulted: Hilary Woodward

Date: 13/12/18

Equalities Implications:

- 7.2 There is the theoretical potential for a reduction availability of lower-cost housing which could impact upon those on lower incomes or socio-economic deprived.

Sustainability Implications:

- 7.3 Making an Article 4 Direction would help the Local Planning Authority to manage the location of HMO uses in order to achieve sustainable, mixed and balanced communities and patterns of urban development.

Any Other Significant Implications:

- 7.4 This measure is aimed at maintaining mixed and balanced communities, reducing the likelihood of anti-social behaviour, noise and nuisance and negative impacts on the physical environment and streetscape, all of which may impact upon the mental and physical welfare of residents.

SUPPORTING DOCUMENTATION

Appendices:

1. Location of known HMOs in Brighton & Hove, October 2018
2. Density of known HMOs in Brighton & Hove by Super Output Area, October 2018
3. Indicative Extent of Alternative Option (a)
4. Indicative Extent of Alternative Option (b)
5. Extract from Brighton & Hove Housing Market Report (Q3 2018) (see below)

In Brighton & Hove the average 1-bed flat costs nearly 9 times the median household annual income and a 3-bed house costs over 16 times the median household annual income. Households on average incomes must have either a sizeable deposit or borrow significantly in excess of prudent mortgage limits in order to buy. A sufficient mortgage for the average 1-bedroom flat would require an income of nearly £58,000 per annum with a £63,000 deposit and a 3-bed home requires an income of nearly £111,000 with a £120,000 deposit.

	Overall	Detached	Semi	Terraced	Flat	% of Sales
Adur	£320,915	£492,847	£358,911	£307,189	£200,936	
Arun	£290,041	£465,500	£300,342	£245,633	£170,340	
Brighton & Hove	£363,106	£666,028	£429,670	£390,492	£298,008	
Chichester	£399,165	£626,930	£376,269	£330,003	£216,027	
Eastbourne	£240,200	£445,546	£305,204	£239,375	£177,192	
Horsham	£384,464	£624,198	£384,830	£310,046	£203,174	
Lewes	£333,897	£500,438	£344,246	£282,140	£188,849	
Mid Sussex	£379,764	£623,790	£396,725	£316,350	£212,040	
Wealden	£347,147	£512,472	£313,935	£267,435	£185,941	
Worthing	£279,820	£502,905	£357,979	£288,156	£189,413	

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■ Det ■ Semi ■ Ter ■ Flat

Table 1: Average Property Prices by Local Authority Area

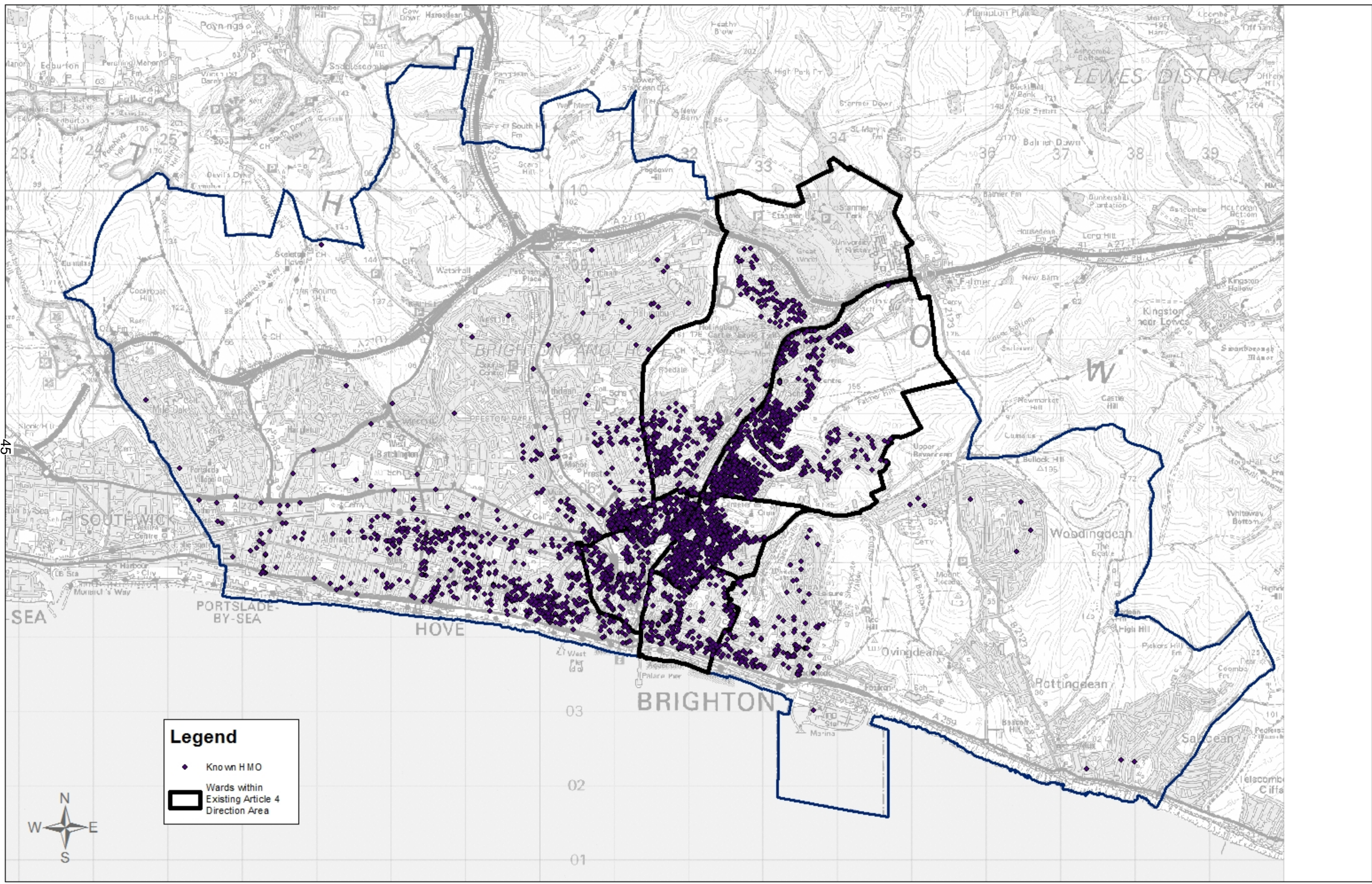
There are similar pressures in the rented sector. The average rent for a one bedroom flat is £1,001 per month, which is equivalent to the monthly repayment cost of a £171,241 mortgage. Traditionally, a mortgage of this amount would require an income of £52,690 to finance, 81% above the city average.

Renting a room in a shared property is significantly cheaper at £618 per month. However the quarterly average advertised cost of renting rooms and flats has increased since 2017 Q3 with rooms showing the greatest increase at +6.9%. These affordability pressures are likely to sustain the demand for lower-cost accommodation amongst low and medium income residents of the city.

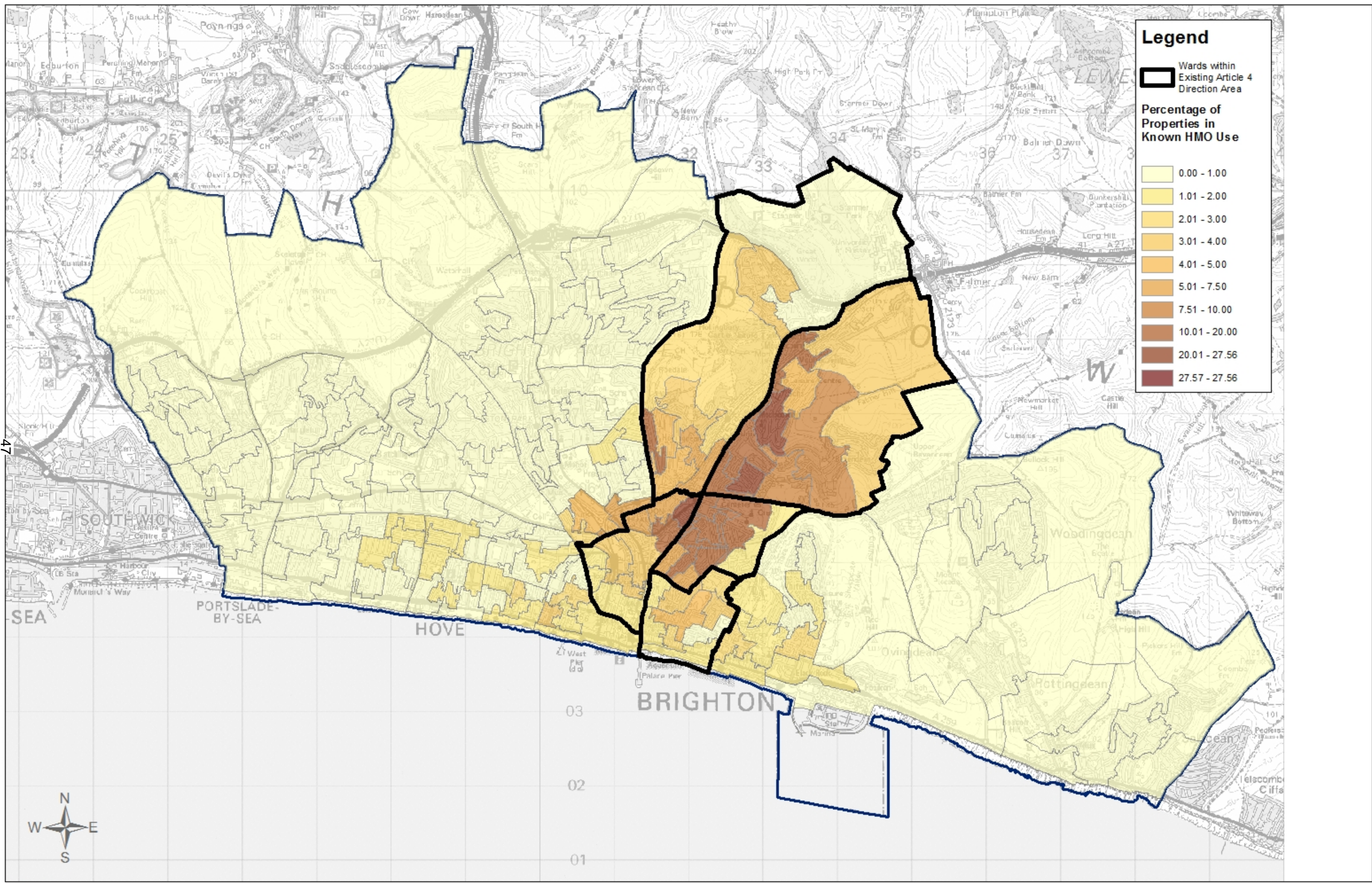
Background Documents

1. Brighton & Hove Housing Market Report 2018 | Q3 | Jul-Sep
2. City Plan Part One
3. Draft City Plan Part Two

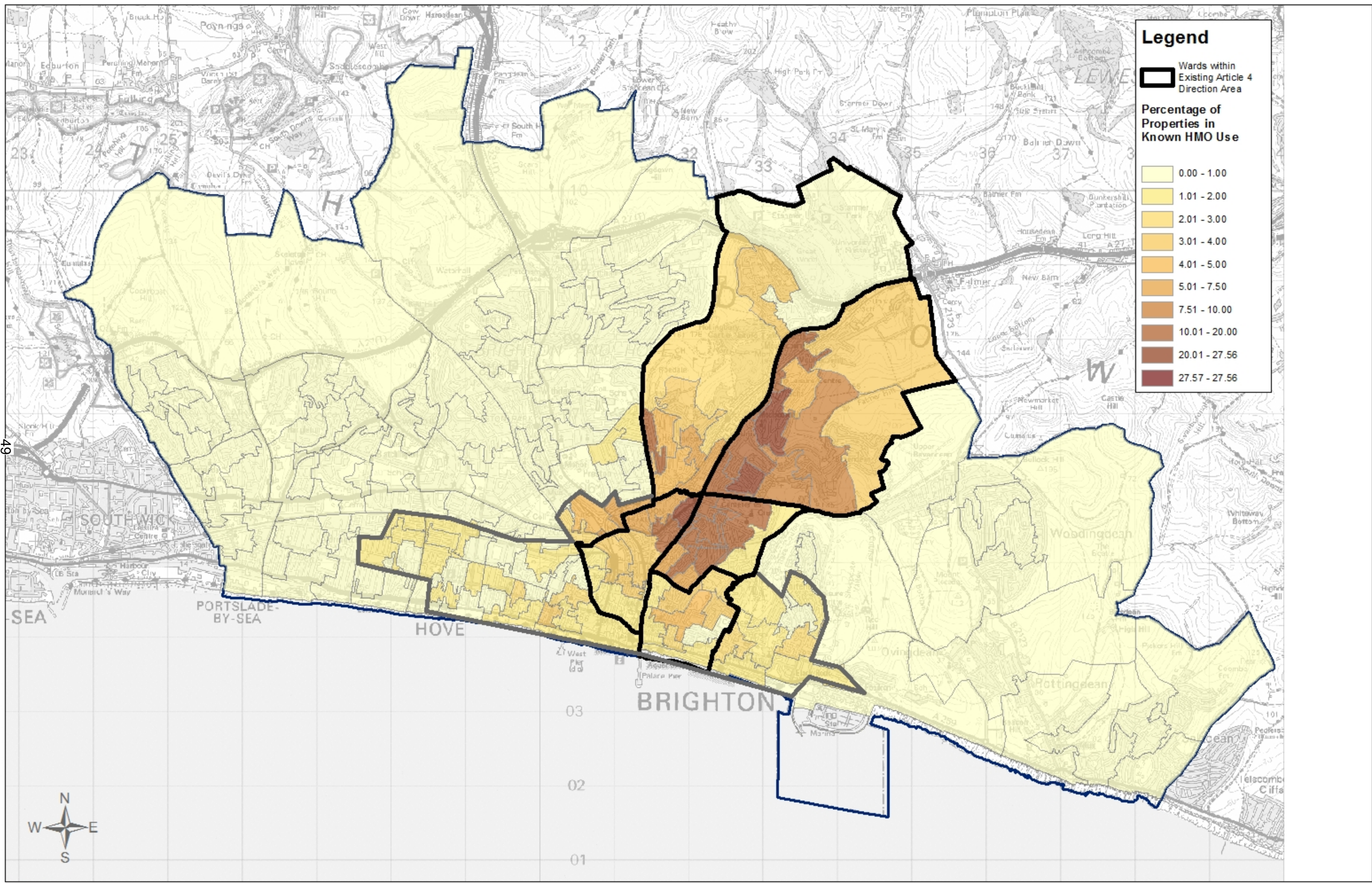
Appendix 1: Location of Known HMOs in Brighton & Hove, October 2018



Appendix 2: Density of Known HMOs in Brighton & Hove by Super Output Area, October 2018

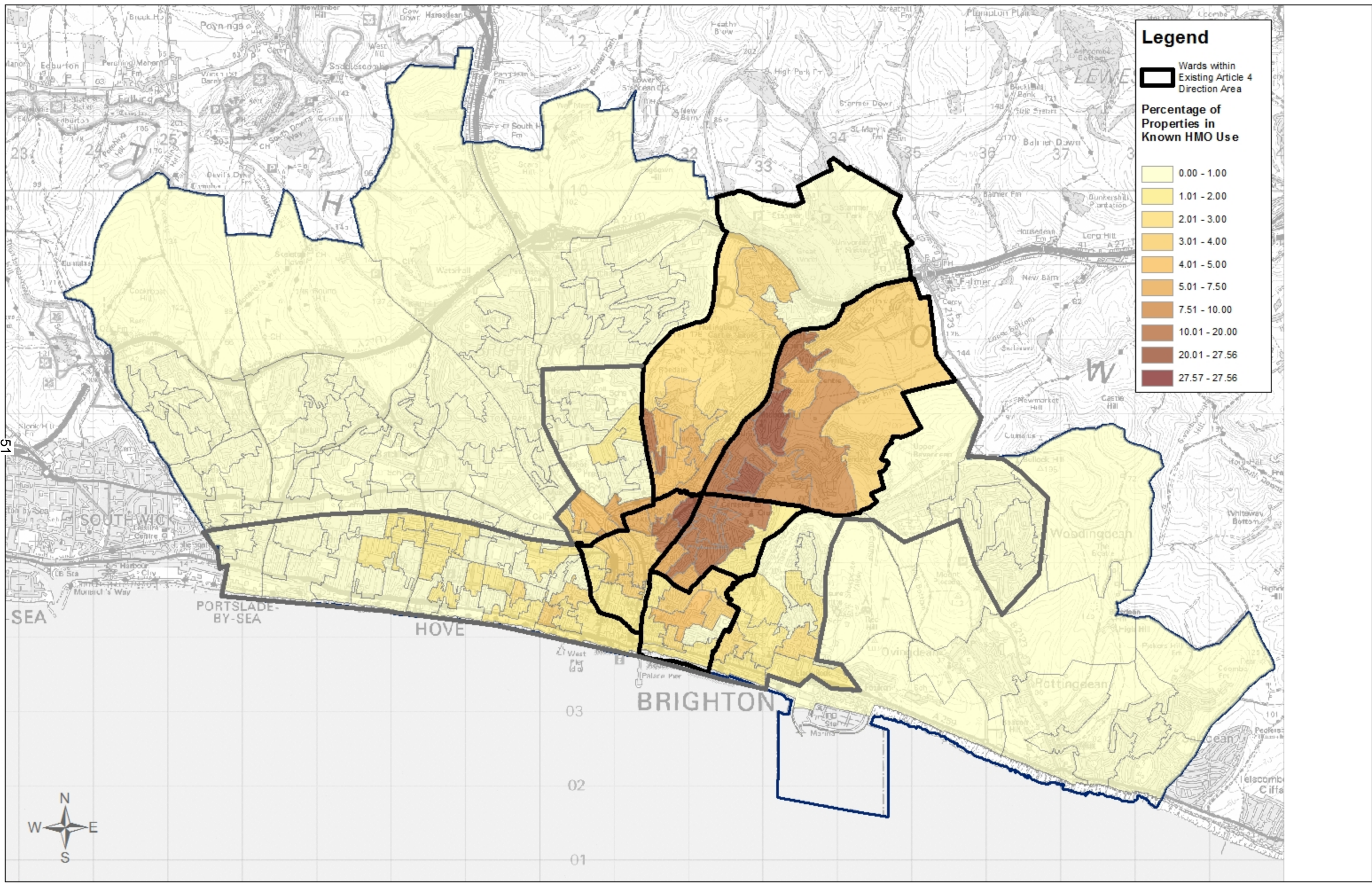


Appendix 3: Indicative Extent of Alternative Option (a) - Grey Line



Scale: 1:45,000

Appendix 4: Indicative Extent of Alternative Option (b) - Grey Line



Scale: 1:45,000

Subject:	Royal Pavilion & Museums Advisory Group		
Date of Meeting:	17 January 2019		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Janita Bagshawe	Tel: 01273 292840
	Email:	janita.bagshawe@brighton-hove.gov.uk	
Wards affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The Council's Policy, Resources and Governance Committee (PRG) approved a report on 11 October 2018 setting out the steps to improve and modernise the Royal Pavilion & Museums Service (RPM), to create a sustainable and resilient organisation.
- 1.2 The agreed timetable is in three phases:
- 1.2.1 A "Service Improvement" phase, to address current operational issues - such as gaps in the staff structure and ICT improvements and improvements to financial systems and processes
- 1.2.2 An "Initiation" (preparing) phase to test the financial assumptions and negotiate agreements relating to a single purpose charitable operation
- 1.2.3 An "Implementation" phase when, subject to satisfactory conclusion of the Initiation phase testing, a charity would be established, agreements are signed, key roles appointed, staff and business are transferred.
- 1.4 The 11th October 2018 report to PRG explained that Arts Council England (ACE) had advised independent senior level expertise in relation to collections, historic buildings and programming should be provided to the service, as part of its business-as-usual operation, to ensure a clear focus on delivery of its business plan and professional standards. This report seeks approval for the Terms of Reference for a Royal Pavilion & Museums Advisory Group (RPMAG) to support the service as recommended by ACE.

2. RECOMMENDATIONS:

- 2.1 That the Committee agrees to establish an advisory group of independent museums specialists, working to the Terms of Reference attached in the Appendix to this report.
- 2.2 That the Committee delegates to the Executive Director for Economy, Environment & Culture, in liaison with the Chair of the Committee, to seek and appoint appropriate individuals.

- 2.3 That the Committee notes that a further report will be brought on 7th March 2019 advising of the names of RPMAG members and seeking approval to appoint a Chair.
- 2.4 That the Committee notes that, as set out at paragraphs 2.1.7 and 2.1.8 in the report approved by PRG on 11 October 2018, it is planned that once the project reaches the Implementation phase, the Advisory Group will be superseded by a Board of Trustees for a charitable entity, recruited through an open process, and that a further report will be brought to Committee at this time.
- 2.5 That the Committee notes that progress with plans to prepare for a move to Trust is ahead of schedule.

3. CONTEXT AND BACKGROUND INFORMATION

- 3.1 The project to transfer the RPM into a single purpose charitable trust was approved by PRG on 11 October 2018 and the first phase “Service Improvement” is under way.
- 3.2 Arts Council England, which is a key stakeholder for the Council and a major funder of the RPM, recommends that local authority museums services are supported by an advisory group of sector specialists to provide external oversight of business delivery and museums standards, and to support the service on operational matters.
- 3.3 Draft Terms of Reference for the proposed Royal Pavilion & Museums Advisory Group are attached in the Appendix to this report.
- 3.4 The RPMAG is intended to support the service during the Service Improvement and Initiation Periods (Phases 1 and 2) of the project to transfer the service into a single purpose trust. Phase 3 will require a fully formed trustee body for the charitable operator.
- 3.5 The report approved by PRG in October states that:

As a precursor to transfer, during Phase 2, open recruitment will be undertaken to identify appropriately skilled and experienced individuals from a diversity of backgrounds and perspectives, willing and capable of joining the board of the new entity when it is established. When appropriate, this will become the trustee body for the new entity and will undertake negotiations with the Council on proposed terms of transfer.

- 3.6 The RPMAG will therefore be discontinued when the project progresses to the Implementation phase unless the Board of the new Trust, decides it is necessary or desirable to continue it, in order to ensure a strong focus on standards of collections care and development, and accreditation requirements. This would be a decision for the new Trust Board to make at the appropriate time.

- 3.7 Depending on the process outlined in 3.5 above, some members of the RPMAG may become trustees of the charity once its board is established, and this would provide useful continuity.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Arts Council England has recommended an advisory body be established to support the service and, while it is not a requirement of ACE funding, the RPMAG does offer additional support to the service from peer professionals, during an important period of change and could offer a degree of continuity if some of its members eventually join the board of the new entity.
- 4.2 The attached Terms of Reference are “light touch”. They preclude the RPMAG from taking any decisions about the service, which will remain under Council management through the usual procedures for approval.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Not applicable

6. CONCLUSION

- 6.1 The project to move into a single purpose charitable trust, is in three phases. The first phase focuses on Service Improvement, while the second phase tests the assumptions and requirements relating to a charitable operation.
- 6.2 This is a time of continued change for the service, and capacity is limited. The RPMAG is intended to support the RPM, and the wider Council, to ensure that the service reflects sector good practice in programming, conservation, collections care, learning and participation, business strategy and operations. It will be recruited from senior museum professionals, acting on a voluntary basis and will eventually be replaced by a board of trustees for the new entity when the project reaches the planned Implementation Phase.
- 6.3 Establishing the RPMAG will assist in enabling the RPM to be well prepared for its planned move. Progress through the Service Improvement phase of the project is ahead of schedule.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The establishment of the RPMAG will support the Service Improvement and Initiation phases of the move into a single purpose charitable trust, the financial implications of which were identified in the report to PRG Committee on 11 October 2018. There are anticipated costs associated to establishing and supporting the group, such as expenses and administration, which will be funded from Modernisation funding already earmarked for the RPM service.

Finance Officer Consulted: Steven Bedford

Date: 03/01/19

Legal Implications:

- 7.2 The committee has the authority under the constitution to set up short term policy panels to undertake development work. This board is intended to exist until a shadow board is established. It will not be a decision making body.

Lawyer Consulted: Alice Rowland

Date: 08/01/2019

Equalities Implications:

- 7.3 The recruitment of the RPMAG will take into account the requirements of the Public Sector Equality Duty, and the City's Inclusion Charter which has been developed as part of our Cultural Framework.

Sustainability Implications:

- 7.4 Not applicable

Any Other Significant Implications:

- 7.5 Not applicable

SUPPORTING DOCUMENTATION

Appendices:

1. Draft Terms of Reference for the RPM Advisory Group

Documents in Members' Rooms

1. None

Background Documents

1. Royal Pavilion & Museums Service Future Options Report approved by Policy, Resources and Governance Committee on 11 October 2018

TERMS OF REFERENCE

ADVISORY GROUP - ROYAL PAVILION & MUSEUMS SERVICE

Background

1. Arts Council England (ACE), which is a major partner funder of the service has recommended an advisory function for the RPM. An advisory group is not a requirement of the ACE funding. However, the Council welcomes the idea and acknowledges that it has the potential to support the continued improvement of service delivery prior to establishing the new governance arrangements for the RPM.
2. Progress with the project to move the service into trust is currently ahead of schedule and it is envisaged that a Charitable Trust (a limited company with charitable status) will be in place to manage the service as early as April 2020. Therefore the Royal Pavilion & Museums Advisory Group (RPMAG) is a short term arrangement (to March 2020) and will be wound up once a Shadow Board is in place for the new entity (see timeline below).
3. The RPM Advisory Group is not a shadow arrangement for the proposed trust and nor is it a decision-making body.
4. The future Board of Trustees of the new entity will be recruited in the summer of 2019 through an open process, to ensure the necessary skills and desirable mix of “lived experiences” are represented. There will therefore be opportunities for members of the RPMAG members to be considered for trustee roles as part of this process, if they wish to put themselves forward, and this would provide welcome continuity and background knowledge of the service.
5. Similarly, the new charity’s trustees may desire to continue to seek advice from professional peers. However, this will be a matter for the trust, once it is established.
6. These Terms of Reference set out the purpose, scope, membership, operational arrangements and principles for the RPMAG to ensure the Board adds value to the service and that its composition and operation are appropriate.
7. In the event that a Trust is not established for the operation of the service, or is not established within a two year period, the Terms of Reference will be reviewed by the Council and may be amended to take account of the future needs of an in-house service.

Purpose

8. The purpose of the RPMAG is to advise the officer team in relation to professional and specialist museums matters, ranging from conservation, collections care, interpretation, learning and participation, to fundraising and commercial optimisation.
9. The RPMAG will also signpost the service to sources of support, case studies, potential trustees and learning & development opportunities.
10. The members of the RPMAG will act as “critical friends” to the service, offering a level of challenge to its business plan and delivery, within the context of national and international good practice.

Scope

11. The scope of the RPMAG is the Royal Pavilion & Museums service which comprises:
 - a. Royal Pavilion
 - b. Brighton Museum & Art Gallery
 - c. Hove Museum
 - d. Booth Museum

Review date: January 2020

- e. Preston Manor
 - f. UB5 Museum Store
 - g. Various related premises
 - h. Collections
 - i. Strategic functions which contribute to the city's wider agenda for heritage, museums and public art
12. The RPMAG will not run, or take decisions about the running of, the service. All decisions and responsibilities for the service will continue to sit with the Council, unless or until an independent operator is established.

Membership

13. In accordance with its purpose, membership of the RPMAG will be drawn from specialists in the fields of museums and historic buildings, and fundraising and related areas.
14. In addition, appropriately skilled and informed related parties (for example from third sector organisations specialising in heritage directly related to the collections, buildings and services of the RPM, such as the royal palaces and collections, or Regency architecture) may be invited either as RPMAG members or on an occasional basis where specific advice is needed.
15. The total number of RPMAG members will not be fewer than six, or more than twelve.
16. Specifically, the RPMAG will comprise individuals who have the professional skills, knowledge and experience to advise, support and advocate for the service in relation to:
- a. collections development, management, interpretation, programming and care, including knowledge of related national standards of care and ethics
 - b. historic premises conservation and operations
 - c. education (broadly) including learning and participation both generally and in relation to the equality duty (ie young people, people with disabilities, people with ethnic minority heritage)
 - d. grant processes and priorities of statutory and charitable bodies
 - e. individual philanthropic giving
 - f. corporate sponsorship
 - g. commercial catering and retail
17. Arts Council England and Heritage Lottery Fund will be invited to attend and observe meetings of the group.
18. One space will be available for a staff representative on the RPMAG, on a rotating basis between service areas to cover front of house, conservation and premises, learning teams and back of house functions.
19. Two spaces will be available for Trade Union representatives on the RPMAG.

Chairing

20. The Chair of the RPMAG will be appointed by the Council. As it is envisaged that the Trust will be running the service by 2020-21, the initial term will end in March 2020.
21. The role of the Chair will be to set the direction of the RPMAG and to ensure it operates within the terms set out in this document.
22. The elected Member who is Chair of the appropriate policy committee and the Assistant Director with responsibility for culture will be members of the Board, to ensure its advice is set in the context of the Council's wider policy agenda and aligned with business objectives.

Review date: January 2020

23. The Head of Service will attend RPMAG meetings and actively participate, working closely with the Chair to set the agenda and service the meetings, to ensure that its advice is translated into service plans

Operational Arrangements

24. The work of the RPMAG will be supported by the Council, which will provide the necessary space to meet, administrative support and professional input from across its services, to ensure it can fulfil its purpose.
25. The RPMAG will meet at least four times, at the end of each quarter (ie March, June, September, December 2019). Between meetings, board members may be asked for advice individually, based on their area of expertise.
26. The RPMAG will operate on a purely voluntary basis although reasonable expenses occurred wholly and necessarily in fulfilling the role will be reimbursed.

Principles

25. Members of the RPMAG will be required to:
- a. declare and manage any conflicts (real or perceived)
 - b. keep all discussions and information arising from their work confidential
 - c. work actively, openly and collaboratively together to achieve the purpose set out above.

Draft Timeline

<u>Date</u>	<u>Activity</u>
17 January 2019	BHCC Tourism, Development & Culture (TDC) Committee approves Terms of Reference and recruitment of RPM Advisory Group (RPMAG) members commences
7 March 2019	TDC Committee advised of names of RPMAG members and approves the appointment of the Chair
March and June 2019	First meetings of RPMAG
June/July 2019	Recruitment of Trustees for new charitable entity
September 2019	Negotiation period with shadow Trustees begins
Sept and Dec 2019	Final two meetings of RPMAG (some members of the RPMAG may also be shadow Trustees at this point)
January 2020	Committee approval of terms of transfer Winding up of RPMAG if transfer approved
April 2020	Anticipated date of service transfer

Review date: January 2020

Subject:	Royal Pavilion Garden Project Update		
Date of Meeting:	17 January 2019		
Report of:	Executive Director Economy, Environment & Culture		
Contact Officer:	Name:	Val Birchall	Tel: 01273 292571
	Email:	val.birchall@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to update the Tourism, Development & Culture Committee concerning improvement plans for the Royal Pavilion Garden, a Grade II restored Regency Garden, and to seek approval for the necessary steps to remove the garden from Historic England's Heritage at Risk Register.
- 1.2 The report seeks approval for the formal adoption of the Royal Pavilion Garden Conservation Plan, which is a key step in the removal from the Register. It outlines plans to develop associated policies over the next 12 months.

The report seeks approval to spend up to £25,000 on work required for a resubmission of a Round 1 Heritage Lottery bid in March 2019.

- 1.3 The Council and Brighton Dome & Festival Ltd signed a Memorandum of Understanding on 18 August 2014, to formalise the joint working with the Royal Pavilion & Museums (RPM) in the delivery of phased capital works to the Royal Pavilion Estate that aim to secure its long term future and financial viability. Phase 1 of the Royal Pavilion Estate capital programme, due for completion in 2019, will achieve the restoration of Brighton Dome's Corn Exchange and Studio Theatre. Planned Royal Pavilion Garden works form Phase 2.

2. RECOMMENDATIONS:

- 2.1 That the Tourism, Development & Culture Committee notes the progress made to date on Phase 2 work as laid out in section 4.1.
- 2.2 That the Tourism, Development & Culture Committee adopts the recommendations in the Royal Pavilion Garden Conservation Plan (an executive summary forms Appendix 2 of this report).
- 2.3 That the Tourism, Development & Culture Committee notes the next stages of the Phase 2 project and approves expenditure of £25,000 to complete work to support a resubmission of a grant application to the Heritage Lottery Fund as outlined in Section 4.3.

3 CONTEXT/ BACKGROUND INFORMATION

Garden significance

- 3.1 The Royal Pavilion Garden was laid out around 1820 by the architect John Nash, at the same time as he created the Royal Pavilion linking the palace to its Royal Stables and Riding School to form a coherent estate. The Garden is a unique example of a 'picturesque' Regency garden; it is a living museum of plants available in the years up to 1820, featuring new exotic plants which were being brought to England by explorers and botanists. It is the only restored major Regency garden in England and the only surviving Nash garden. As recognition of its significance, it was given Grade II listed status by Historic England in 1987.
- 3.2 Historic England placed the Garden on the Heritage at Risk Register for South East England in October 2017 citing the following reasons:
- The Garden had begun to suffer visibly from the high levels of visitor use and recreational development pressure; and
 - There has been an erosion of the character caused by a disparate range of fencing, litter bins, signage and lighting units.
 - The combination of these factors was viewed as weakening the sense of the Garden's rich history for visitors.

Historic England called for a Conservation Plan to be developed to address these issues as a matter of urgency.

4. Progress, Plan Adoption & Next steps

4.1 Progress update

- 4.1.1. Chris Blandford Associates were commissioned by the Council to deliver a Conservation Plan and associated Management & Maintenance Plan for the Garden. These plans, written during the period October 2017 – April 2018, will support the Council's strategic management of the Garden going forward. Plans will inform current and future development proposals, and ensure that the Garden's heritage significance is conserved during the management of the site.
- 4.1.2 A Round 1 Heritage Lottery Fund (HLF) bid was developed by officers and submitted in June 2018 requesting initial funding of £194,000 to facilitate the development of a full (Round 2) funding bid for £3.3million. This would provide capital to address the risks to the Garden's historic fabric and sustainability, conserve its heritage features and biodiversity, provide rich interpretation and engage people in learning about and caring for this unique Regency landscape and ensure the Garden's removal from the At Risk Register. Council funding of £0.5m was approved at Policy Resources & Growth Committee in November 2017, as match funding with a need to raise a further £750,000 through private trusts and individuals to meet total project costs of £4.6million.
- 4.1.3 The Council was informed at the end of September that the bid had not been successful due to competition for funding in that round. The HLF however considered the Royal Pavilion Garden a high priority project and have encouraged a resubmission in the next funding round in March 2019. To strengthen the bid's chances, HLF has highlighted work that it considers should

be undertaken in the meantime. This is detailed in 4.3 next steps below. If the resubmitted HLF Round 1 bid is successful, the Development Stage of works would commence in early summer 2019 to prepare the HLF Round 2 bid for submission in winter 2019/20 with the aim of works starting on site in late 2020.

4.1.4 During April – June 2018 stakeholder and public consultation was undertaken on both the recommendations of the Garden Conservation Plan and proposals for capital priorities and interpretation and engagement outlined in the HLF bid. Stakeholders included Brighton Dome & Festival Ltd, Ward Councillors, the North Laine Community Association, the Royal Pavilion Garden Café, the Chapel Royal, and the Max Miller Society, as well as RPM staff and volunteers. Stakeholders' views informed both the content and methodology of the wider public consultation. A summary of results of the wider public consultation is attached at Appendix 1.

4.2 Adoption of Conservation Plan

4.2.1 The primary purpose of this Conservation Plan is to support the Council's strategic management of the Garden going forward. It is intended to inform current and future development proposals and ensure that the Garden's heritage significances are conserved. In development of the plan the risks and opportunities facing the garden have been considered. These have been identified as;

- * Presence on the Heritage at Risk Register
- * User pressures
- * Condition of the Garden
- * Anti-social behaviour
- * Trees and ecology
- * Long-term climate change risks
- * Completeness of restoration works
- * External development pressures
- * Management costs and resources
- * Access
- * Interpretation

4.2.2 The plan was developed in accordance with published best practice guidelines of both HLF and Historic England and in consultation with Virginia Hinze; historic landscape expert responsible for previous restorations.

4.2.3 Through the development of the Conservation Plan the following vision for the Garden has been articulated;

'Our vision is to restore, conserve and enhance the diverse significances and values of The Royal Pavilion Garden while retaining the Garden as a public open space in the historic centre of Brighton. At the heart of the vision is a celebration of the Garden's heritage, lively atmosphere and open space, and its capacity to enrich the lives of the local community. This forms the basis of a commitment to on-going sustainability, quality and inclusivity to ensure that the widest possible audience can appreciate and benefit from the diverse opportunities afforded by the Garden.'

- 4.2.4 The plan also outlines a series of actions and priorities that should be developed to support this vision including:
- Governance
 - Strategic Principles
 - Capital work Priorities
 - Management & Operational Priorities
 - Interpretation; and
 - Audience Development and engagement

Further detail is outlined in the schedule attached (Appendix 2b).

- 4.2.5 The Conservation Plan will be a living document for the period 2018 – 2023 and will be reviewed on an annual basis by officers to ensure it remains relevant. This will identify and document where progress has been made, identify and document remedial actions to address issues, update the plan, and provide progress reports to Members and senior officers as required.

4.3 Next Steps

- 4.3.1 HLF has provided specific feedback on the Round 1 grant application and suggested that to strengthen the bid prior to resubmission;
- An access audit is undertaken
 - More developed designs of what a new boundary and improved entrances to the estate might look like are included
 - More evidence is provided on how multi-agency working will ensure that anti-social behaviour issues will be resolved in the longer term
 - Further definition is given to the activity programme to show how each target audience will be engaged
 - The proposed Interpretation Strategy is refined to show a hierarchy of information and how it will be made accessible
 - Volunteer roles and skills that will be developed are further defined
- 4.3.2 It is estimated the above will cost in the region of £25,000 to deliver which will be met from 2018/19 RPM Core budgets. The current HLF funding scheme has now closed and new guidance for the scheme opening in March 2019 including any new or changed priorities will be published in January.
- 4.3.3 In the event that the resubmitted HLF is not successful, (outcome expected June 2019), the capital monies identified by the Council as match funding will be used progressing as far as possible with the required improvements.
- 4.3.2 Given the rising costs of addressing anti-social behaviour and littering during 2018, a multi-agency review of management of these issues is necessary prior to the 2019 summer season.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Public consultation was undertaken in May – June 2018 which involved both presentations and the opportunity to complete papers and online surveys on the council's consultation portal. The surveys attracted over 1,350 respondents who

were both resident in and visitors to the City. The findings are summarised in Appendix 1.

- 5.2 Further consultation on the proposed capital works, interpretation, activities, community and volunteer programmes relating to the Garden will be undertaken throughout the Phase 2 capital works.

6. CONCLUSION

- 6.1 The Council's adoption of the Conservation Plan will provide confidence to Historic England, HLF, Stakeholders and the community that the Council is committed to revitalisation of the Royal Pavilion Estate and removal of the Royal Pavilion Garden from the At Risk Register
- 6.2 Doing nothing can be expected to have serious implications for the future condition of the Royal Pavilion and Garden and jeopardise the Garden's listed status.
- 6.3 Resubmission of the Round 1 HLF bid will be the next step in achieving the overall vision of the Royal Pavilion Estate. Should this bid not be successful, Capital monies identified as match funding will be used to progress improvements as far as possible.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Work to support the resubmission of a bid to the Heritage Lottery Fund in 2019 is estimated to cost £0.025m. This will be funded from 2018/19 Royal Pavilion & Museums revenue budgets.

Finance Officer Consulted: Gemma Jackson

Date: 12/11/18

Legal Implications:

The £0.025m will need to be spent in accordance with the council's Contract Standing Orders.

Lawyer Consulted: Alice Rowland

Date: 13/11/18

Equalities Implications:

- 7.2 The proposed works to the Royal Pavilion Garden will improve access and enjoyment for all users. An Access Audit is being undertaken during the winter 2018/19 to inform future planning. Event and activity programmes will be developed to target a range of priority groups, opportunities for volunteering and participation will be increased. New interpretation will be provided in a variety of formats throughout the garden to meet different individual needs. RPM has a strong track record in co-curation and community engagement projects and this methodology will be applied in the design and development of interpretation and associated activities for the Royal Pavilion Garden.

Sustainability Implications:

- 7.3 Implementation of the Conservation Plan and associated policies with proposed capital works will result in upgrading and investment in infrastructure required to support current Garden usage and long term maintenance. Such improvements will result in reduced on-going maintenance costs. The programme of associated community engagement, interpretation, volunteering and events alongside security improvements will in the long term reduce current costs associated with anti-social behaviour. Adoption of the Conservation Plan will ensure that the garden continues to be managed on organic principals and it remains a safe and accessible public green space.

Risk and Opportunity Management Implications:

- 7.4 The principal risks include the continued deterioration of the fabric and quality of both the Royal Pavilion and Garden and the loss of the Garden's listed status. Both of these would contribute to reducing future resilience and may adversely affect continued use by visitors and residents.

Public Health Implications

- 7.5 Protecting the Garden and improving control of its use will improve environmental conditions with a beneficial effect on people's enjoyment of the green space.

SUPPORTING DOCUMENTATION

Appendices:

1. Results of Public Consultation
2. Royal Pavilion Garden Conservation Plan, Executive Summary
3. Conservation Plan Policy Schedule

Documents in Members' Rooms

1. Royal Pavilion Garden Conservation Plan, Full Version

Background Documents

1. Royal Pavilion Estate Capital Project Phase 2, Policy Resources & Growth Committee, 30 November 2017
2. Royal Pavilion Estate Capital Project Phase 2 Up-date, Tourism, Development & Culture Committee, 11 January 2018

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Are you responding as...				
		Frequency	Percent	Valid Percent
Valid	Brighton & Hove resident	1235	90.6	91.5
	Visitor to the city	115	8.4	8.5
	Total	1350	99.0	100.0
Missing	No response	13	1.0	
Total		1363	100.0	

Q2. How often do you visit the Royal Pavilion Garden?				
		Are you responding as...		
		Brighton & Hove resident	Visitor to the city	All respondents
	Daily or almost daily	326	26	352
		26.4%	22.6%	26.1%
	Once a week	425	12	437
		34.4%	10.4%	32.4%
	At least once a month	397	43	440
		32.1%	37.4%	32.6%
	Every six months	63	26	89
		5.1%	22.6%	6.6%
	Once a year	9	2	11
		.7%	1.7%	.8%
	Never	2	1	3
		.2%	.9%	.2%
	Don't know / not sure	13	5	18
		1.1%	4.3%	1.3%
Total		1235	115	1350
		100.0%	100.0%	100.0%

How do you use the garden?				
		Are you responding as...		
		Brighton & Hove resident	Visitor to the city	All respondents
	Visiting the buildings in it	708	75	783
	Using the Pavilion Gardens Café	572	45	617
	Using the ice rink	284	14	298
	A place to sit and relax	888	68	956
	As a cut-through	1029	81	1110
	A place to meet friends, bring family	604	41	645
	A place to eat my lunch, take a break	584	47	631
	Other	84	13	97
Total		1235	115	1350
Base: All respondents who answered the question (n=1,350, 99%)				

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Q4. (Guided tours) Which of the following methods to inform users and visitors about the historic significance of the gardens would you be interested in?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	244 21.9%	29 27.9%	273 22.5%
	Farly interested	396 35.6%	42 40.4%	438 36.0%
	Not very interested	302 27.2%	23 22.1%	325 26.7%
	Not at all interested	170 15.3%	10 9.6%	180 14.8%
Total		1112 100.0%	104 100.0%	1216 100.0%

Q4. (Garden greeters on hand to provide information) Which of the following methods to inform users and visitors about the historic significance of the gardens would you be interested in?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	198 17.9%	29 28.7%	227 18.8%
	Farly interested	358 32.4%	39 38.6%	397 32.9%
	Not very interested	345 31.3%	19 18.8%	364 30.2%
	Not at all interested	203 18.4%	14 13.9%	217 18.0%
Total		1104 100.0%	101 100.0%	1205 100.0%

Q4. (Digital tours accessible from smart phones) Which of the following methods to inform users and visitors about the historic significance of the gardens would you be interested in?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	310 28.0%	36 35.0%	346 28.6%
	Farly interested	407 36.7%	29 28.2%	436 36.0%
	Not very interested	223 20.1%	21 20.4%	244 20.1%
	Not at all interested	168 15.2%	17 16.5%	185 15.3%
Total		1108 100.0%	103 100.0%	1211 100.0%

Q4. (Printed garden guides) Which of the following methods to inform users and visitors about the historic significance of the gardens would you be interested in?				
		Are you responding as...		

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		Brighton & Hove resident	Visitor to the city	All respondents
Very interested		280	30	310
		25.2%	31.3%	25.7%
Fairly interested		427	43	470
		38.4%	44.8%	38.9%
Not very interested		262	16	278
		23.6%	16.7%	23.0%
Not at all interested		142	7	149
		12.8%	7.3%	12.3%
Total		1111	96	1207
		100.0%	100.0%	100.0%

Q4. (Display boards) Which of the following methods to inform users and visitors about the historic significance of the gardens would you be interested in?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
Very interested		589	64	653
		50.1%	60.4%	50.9%
Fairly interested		450	37	487
		38.3%	34.9%	38.0%
Not very interested		79	3	82
		6.7%	2.8%	6.4%
Not at all interested		58	2	60
		4.9%	1.9%	4.7%
Total		1176	106	1282
		100.0%	100.0%	100.0%

Q4. (Website information) Which of the following methods to inform users and visitors about the historic significance of the gardens would you be interested in?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
Very interested		432	52	484
		38.5%	51.0%	39.6%
Fairly interested		482	37	519
		43.0%	36.3%	42.4%
Not very interested		149	11	160
		13.3%	10.8%	13.1%
Not at all interested		58	2	60
		5.2%	2.0%	4.9%
Total		1121	102	1223
		100.0%	100.0%	100.0%

Q4. (QR codes) Which of the following methods to inform users and visitors about the historic significance of the gardens would you be interested in?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
Very interested		83	9	92
		8.8%	10.5%	9.0%
Fairly interested		150	16	166
		16.0%	18.6%	16.2%
Not very interested		301	34	335

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	Not very interested	32.1%	39.5%	32.7%
	Not at all interested	404	27	431
		43.1%	31.4%	42.1%
Total		938	86	1024
		100.0%	100.0%	100.0%

Q4. (Other) Which of the following methods to inform users and visitors about the historic significance of the gardens would you be interested in?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	29	5	34
		11.6%	25.0%	12.6%
	Fairly interested	17	2	19
		6.8%	10.0%	7.1%
	Not very interested	56	6	62
		22.5%	30.0%	23.0%
	Not at all interested	147	7	154
		59.0%	35.0%	57.2%
Total		249	20	269
		100.0%	100.0%	100.0%

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Q5. (Wildlife talks and walks e.g. bat talks, dawn chorus) We want to share information about the planting and wildlife in the garden with visitors. How interested would you be in the following?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	471	51	522
		40.9%	47.2%	41.4%
	Farly interested	459	45	504
		39.8%	41.7%	40.0%
	Not very interested	155	9	164
		13.5%	8.3%	13.0%
	Not at all interested	67	3	70
		5.8%	2.8%	5.6%
Total		1152	108	1260
		100.0%	100.0%	100.0%

Q5. (Printed guides with information about trees, planting and wildlife) We want to share information about the planting and wildlife in the garden with visitors. How interested would you be in the following?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	399	47	446
		35.1%	46.1%	36.0%
	Farly interested	423	42	465
		37.2%	41.2%	37.6%
	Not very interested	204	10	214
		18.0%	9.8%	17.3%
	Not at all interested	110	3	113
		9.7%	2.9%	9.1%
Total		1136	102	1238
		100.0%	100.0%	100.0%

Q5. (Digital guides for use on mobile devices) We want to share information about the planting and wildlife in the garden with visitors. How interested would you be in the following?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	376	37	413
		34.1%	36.6%	34.3%
	Farly interested	419	42	461
		38.0%	41.6%	38.3%
	Not very interested	187	11	198
		17.0%	10.9%	16.4%
	Not at all interested	121	11	132
		11.0%	10.9%	11.0%
Total		1103	101	1204
		100.0%	100.0%	100.0%

Q5. (Monthly highlights posters) We want to share information about the planting and wildlife in the garden with visitors. How interested would you be in the following?

	Are you responding as...
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		Brighton & Hove resident	Visitor to the city	All respondents
	Very interested	405	43	448
		36.5%	41.7%	36.9%
	Farly interested	456	46	502
		41.0%	44.7%	41.4%
	Not very interested	158	11	169
		14.2%	10.7%	13.9%
	Not at all interested	92	3	95
		8.3%	2.9%	7.8%
Total		1111	103	1214
		100.0%	100.0%	100.0%

Q5. (Family activity days) We want to share information about the planting and wildlife in the garden with visitors. How interested would you be in the following?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	284	24	308
		26.3%	25.3%	26.3%
	Farly interested	281	26	307
		26.1%	27.4%	26.2%
	Not very interested	268	27	295
		24.9%	28.4%	25.1%
	Not at all interested	245	18	263
		22.7%	18.9%	22.4%
Total		1078	95	1173
		100.0%	100.0%	100.0%

Q5. (Other) We want to share information about the planting and wildlife in the garden with visitors. How interested would you be in the following?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	44	5	49
		18.6%	31.3%	19.4%
	Farly interested	17	3	20
		7.2%	18.8%	7.9%
	Not very interested	44	1	45
		18.6%	6.3%	17.9%
	Not at all interested	131	7	138
		55.5%	43.8%	54.8%
Total		236	16	252
		100.0%	100.0%	100.0%

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Q6. How safe or unsafe do you feel in the garden during the day?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very safe	792	55	847
		64.5%	47.8%	63.1%
	Fairly safe	344	45	389
		28.0%	39.1%	29.0%
	Neither safe nor unsafe	57	10	67
		4.6%	8.7%	5.0%
Fairly unsafe	23	3	26	
	1.9%	2.6%	1.9%	
Very unsafe	12	2	14	
	1.0%	1.7%	1.0%	
Total		1228	115	1343
		100.0%	100.0%	100.0%

Q7. How much of a problem is anti-social behaviour during the day?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	A very big problem	63	7	70
		5.4%	6.7%	5.5%
	A fairly big problem	171	20	191
		14.6%	19.2%	15.0%
Not a very big problem	587	53	640	
	50.2%	51.0%	50.2%	
Not a problem at all	349	24	373	
	29.8%	23.1%	29.3%	
Total		1170	104	1274
		100.0%	100.0%	100.0%

Q9. How safe or unsafe do you feel in the garden during the night?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very safe	146	11	157
		13.4%	11.8%	13.3%
	Fairly safe	343	16	359
		31.5%	17.2%	30.3%
	Neither safe nor unsafe	175	11	186
		16.1%	11.8%	15.7%
	Fairly unsafe	233	28	261
		21.4%	30.1%	22.1%
	Very unsafe	193	27	220
		17.7%	29.0%	18.6%
Total		1090	93	1183
		100.0%	100.0%	100.0%

Q10. How much of a problem is anti-social behaviour at night?				
		Are you responding as...		

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		Brighton & Hove resident	Visitor to the city	All respondents
A very big problem		221	35	256
		18.0%	30.7%	19.1%
A fairly big problem		274	27	301
		22.3%	23.7%	22.4%
Not a very big problem		328	17	345
		26.7%	14.9%	25.7%
Not a problem at all		112	9	121
		9.1%	7.9%	9.0%
Don't know / not sure		294	26	320
		23.9%	22.8%	23.8%
Total		1229	114	1343
		100.0%	100.0%	100.0%

Q11. How could we manage busking in the garden?

		Are you responding as...		
		Brighton & Hove resident	Visitor to the city	All respondents
Busking should not be allowed		64	14	78
		5.2%	12.2%	5.8%
Busking should continue as it is		618	36	654
		50.1%	31.3%	48.5%
Buskers should have time limited slots		147	18	165
		11.9%	15.7%	12.2%
Buskers should not play amplified music		245	26	271
		19.9%	22.6%	20.1%
Buskers should be auditioned and licenced to		160	21	181
		13.0%	18.3%	13.4%
Total		1234	115	1349
		100.0%	100.0%	100.0%

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Q12. Do you agree or disagree with installing boundary railings to secure the garden at night?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	310	57	367
		26.0%	50.4%	28.1%
	Tend to agree	219	23	242
		18.4%	20.4%	18.6%
	Neither agree nor disagree	76	6	82
		6.4%	5.3%	6.3%
Tend to disagree	172	6	178	
	14.4%	5.3%	13.7%	
Strongly disagree	414	21	435	
	34.8%	18.6%	33.4%	
Total		1191	113	1304
		100.0%	100.0%	100.0%

Q13. If the garden were to close at night what times should it close & open?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Revert to times laid out in the Pavilion Purchase Bill of 1849	324	47	371
		30.4%	44.8%	31.7%
	Set times	741	58	799
		69.6%	55.2%	68.3%
Total		1065	105	1170
		100.0%	100.0%	100.0%

Q13. Time close in the evening				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	9:00 PM	156	21	177
		21.3%	36.8%	22.4%
	9:30 PM	49	9	58
		6.7%	15.8%	7.3%
	10:00 PM	529	27	556
		72.1%	47.4%	70.3%
Total		734	57	791
		100.0%	100.0%	100.0%

Q13. Open in the morning				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	6:00 AM	477	29	506
		64.8%	50.0%	63.7%
	6:30 AM	70	10	80
		9.5%	17.2%	10.1%
	7:00 AM	189	19	208
		25.7%	32.8%	26.2%
Total		736	58	794
		100.0%	100.0%	100.0%

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Q14. How much do you agree or disagree that these designs are in keeping with the historic setting?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	229 19.7%	37 34.3%	266 21.0%
	Tend to agree	369 31.8%	37 34.3%	406 32.0%
	Neither agree nor disagree	167 14.4%	9 8.3%	176 13.9%
	Tend to disagree	115 9.9%	6 5.6%	121 9.5%
	Strongly disagree	280 24.1%	19 17.6%	299 23.6%
	Total	1160 100.0%	108 100.0%	1268 100.0%

How do you think New Road Garden boundary could be improved?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Remove the wooden bench running along New Road	241	23	264
	Introduce different street furniture such as benches and tables	378	37	415
	Have no public seating along New Road	133	19	152
	Leave it as it is	553	42	595
	Other	113	7	120
Total	1212	113	1325	
Base: All respondents who answered the question (n=1,325, 97%)				

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Q16. (Improved entrance spaces with lockable gates to allow closure at night) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	344 28.1%	58 50.4%	402 30.0%
	Tend to agree	278 22.7%	28 24.3%	306 22.9%
	Neither agree nor disagree	83 6.8%	4 3.5%	87 6.5%
	Tend to disagree	142 11.6%	4 3.5%	146 10.9%
	Strongly disagree	376 30.7%	21 18.3%	397 29.7%
	Total	1223 100.0%	115 100.0%	1338 100.0%

Q16. (Overhaul of all Garden furniture (benches, bins and signage) to establish a coherent yet historically sensitive design) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	472 39.8%	62 55.9%	534 41.2%
	Tend to agree	440 37.1%	41 36.9%	481 37.1%
	Neither agree nor disagree	171 14.4%	4 3.6%	175 13.5%
	Tend to disagree	51 4.3%	4 3.6%	55 4.2%
	Strongly disagree	51 4.3%	0 0.0%	51 3.9%
	Total	1185 100.0%	111 100.0%	1296 100.0%

Q16. (Simple and distinctive information boards to tell the story of the garden) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	561 46.6%	60 53.6%	621 47.2%
	Tend to agree	504 41.8%	46 41.1%	550 41.8%
	Neither agree nor disagree	89 7.4%	3 2.7%	92 7.0%
	Tend to disagree	31 2.6%	2 1.8%	33 2.5%
	Strongly disagree	20 1.7%	1 .9%	21 1.6%
	Total	1185 100.0%	111 100.0%	1296 100.0%

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Total	1205	112	1317
	100.0%	100.0%	100.0%

Q16. (Upgrade entire path network with improved drainage.) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
Strongly agree		375	42	417
		32.0%	39.3%	32.6%
Tend to agree		404	35	439
		34.5%	32.7%	34.4%
Neither agree nor disagree		320	24	344
		27.3%	22.4%	26.9%
Tend to disagree		43	5	48
		3.7%	4.7%	3.8%
Strongly disagree		29	1	30
		2.5%	.9%	2.3%
Total		1171	107	1278
		100.0%	100.0%	100.0%

Q16. (Enhanced lighting including the restoration of existing historic light columns.) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
Strongly agree		564	65	629
		47.2%	60.2%	48.3%
Tend to agree		466	29	495
		39.0%	26.9%	38.0%
Neither agree nor disagree		123	10	133
		10.3%	9.3%	10.2%
Tend to disagree		28	0	28
		2.3%	0.0%	2.2%
Strongly disagree		13	4	17
		1.1%	3.7%	1.3%
Total		1194	108	1302
		100.0%	100.0%	100.0%

Q16. (Introduction of up-lighting to highlight key trees, features and facades.) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
Strongly agree		415	42	457
		34.9%	38.2%	35.2%
Tend to agree		423	36	459
		35.5%	32.7%	35.3%
Neither agree nor disagree		182	15	197
		15.3%	13.6%	15.2%
Tend to disagree		113	10	123
		9.5%	9.1%	9.5%
Strongly disagree		57	7	64

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	Strongly disagree	4.8%	6.4%	4.9%
Total		1190	110	1300
		100.0%	100.0%	100.0%

Q16. (Simplification of internal fencing / removal of unnecessary fencing within the Garden) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	455	56	511
		38.4%	50.5%	39.4%
	Tend to agree	452	35	487
		38.1%	31.5%	37.6%
	Neither agree nor disagree	171	12	183
		14.4%	10.8%	14.1%
	Tend to disagree	73	4	77
		6.2%	3.6%	5.9%
	Strongly disagree	34	4	38
		2.9%	3.6%	2.9%
Total		1185	111	1296
		100.0%	100.0%	100.0%

Q16. (Restoration of planting beds to reflect the original Nash design / planting style.) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	464	59	523
		39.2%	55.1%	40.5%
	Tend to agree	387	31	418
		32.7%	29.0%	32.4%
	Neither agree nor disagree	271	16	287
		22.9%	15.0%	22.2%
	Tend to disagree	42	0	42
		3.6%	0.0%	3.3%
	Strongly disagree	19	1	20
		1.6%	.9%	1.6%
Total		1183	107	1290
		100.0%	100.0%	100.0%

Q16. (Removal of inappropriate and visually intrusive planting, such as the hedge between the garden & Corn Exchange, to restore original Regency views) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	419	48	467
		35.5%	43.2%	36.1%
	Tend to agree	418	40	458
		35.4%	36.0%	35.4%
	Neither agree nor disagree	240	18	258
		20.3%	16.2%	20.0%
	Tend to disagree	71	3	74

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	Tend to disagree	6.0%	2.7%	5.7%
	Strongly disagree	33	2	35
		2.8%	1.8%	2.7%
Total		1181	111	1292
		100.0%	100.0%	100.0%

Q16. (Enhanced drainage and replacement of the existing irrigation system to support intensive use of lawn areas.) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	467	55	522
		39.4%	50.9%	40.4%
	Tend to agree	489	34	523
		41.3%	31.5%	40.5%
	Neither agree nor disagree	192	17	209
		16.2%	15.7%	16.2%
	Tend to disagree	20	2	22
		1.7%	1.9%	1.7%
	Strongly disagree	16	0	16
		1.4%	0.0%	1.2%
Total		1184	108	1292
		100.0%	100.0%	100.0%

Q16. (Widening of some paths to cope with visitor demand.) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	285	38	323
		24.2%	34.2%	25.1%
	Tend to agree	339	37	376
		28.8%	33.3%	29.2%
	Neither agree nor disagree	268	23	291
		22.8%	20.7%	22.6%
	Tend to disagree	201	10	211
		17.1%	9.0%	16.4%
	Strongly disagree	85	3	88
		7.2%	2.7%	6.8%
Total		1178	111	1289
		100.0%	100.0%	100.0%

Q16. (Sensitive placement of posters and advertising banners) Please tell us how much you agree or disagree we should take forward these suggestions

		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Strongly agree	268	32	300
		22.7%	29.4%	23.2%
	Tend to agree	337	34	371
		28.5%	31.2%	28.7%
	Neither agree nor disagree	215	14	229
		18.2%	12.8%	17.7%
	Tend to disagree	160	12	172

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	... tend to disagree	13.5%	11.0%	13.3%
	Strongly disagree	202	17	219
		17.1%	15.6%	17.0%
Total		1182	109	1291
		100.0%	100.0%	100.0%

Q17: (Priority 1) Which of the following do you consider we should prioritise?				
		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Improving infrastructure for rubbish collection and recycling	426	41	467
		35.7%	36.0%	35.7%
	Improving lighting throughout the garden	284	19	303
		23.8%	16.7%	23.2%
	Improving the presentation of the Prince's Place entrance of the garden (area adjacent to the public toilets)	126	11	137
		10.6%	9.6%	10.5%
	Improvements to the lawn and hardstanding surface around the Pavilion Garden Cafe	126	9	135
		10.6%	7.9%	10.3%
	Widening and resurfacing pathways and parking areas	85	16	101
		7.1%	14.0%	7.7%
	Improvements to the planting at the Pavilion Garden Café end of the garden	52	7	59
		4.4%	6.1%	4.5%
	Screening of the service area of the garden (bin store, energy centre,) adjacent to New Road	46	5	51
		3.9%	4.4%	3.9%
	Improving the presentation of the Palace Place area of the garden (South East corner)	20	2	22
		1.7%	1.8%	1.7%
	Other	29	4	33
		2.4%	3.5%	2.5%
Total		1194	114	1308
		100.0%	100.0%	100.0%

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Q17: (Top 3 Priorities) Which of the following do you consider we should prioritise?				
		Are you responding as...		All Respondents
		Brighton & Hove resident	Visitor to the city	
	Improving infrastructure for rubbish collection and recycling	681	69	750
		57.0%	60.5%	57.3%
	Improving lighting throughout the garden	605	58	663
		50.7%	50.9%	50.7%
	Improving the presentation of the Prince's Place entrance of the garden (area adjacent to the public toilets)	581	49	630
		48.7%	43.0%	48.2%
	Improvements to the lawn and hardstanding surface around the Pavilion Garden Cafe	450	38	488
		37.7%	33.3%	37.3%
	Improvements to the planting at the Pavilion Garden Café end of the garden	310	32	342
		26.0%	28.1%	26.1%
	Widening and resurfacing pathways and parking areas	189	28	217
		15.8%	24.6%	16.6%
	Screening of the service area of the garden (bin store, energy centre,) adjacent to New Road	270	25	295
		22.6%	21.9%	22.6%
	Improving the presentation of the Palace Place area of the garden (South East corner)	140	18	158
		11.7%	15.8%	12.1%
	Other	75	9	84
		6.3%	7.9%	6.4%
Total		1194	114	1308
Base: All respondents who chose at least one priority (n=1,308, 96%)				

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Q18. (Regency events) Which events or activities would you be interested to see at the Royal Pavilion garden?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	320	36	356
		28.4%	34.0%	28.8%
	Fairly interested	470	50	520
		41.7%	47.2%	42.1%
	Not very interested	246	15	261
		21.8%	14.2%	21.2%
	Not interested at all	92	5	97
		8.2%	4.7%	7.9%
Total		1128	106	1234
		100.0%	100.0%	100.0%

Q18. (Music events) Which events or activities would you be interested to see at the Royal Pavilion garden?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	528	58	586
		45.8%	52.7%	46.4%
	Fairly interested	429	36	465
		37.2%	32.7%	36.8%
	Not very interested	122	10	132
		10.6%	9.1%	10.4%
	Not interested at all	75	6	81
		6.5%	5.5%	6.4%
Total		1154	110	1264
		100.0%	100.0%	100.0%

Q18. (Markets) Which events or activities would you be interested to see at the Royal Pavilion garden?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	330	28	358
		29.6%	26.2%	29.3%
	Fairly interested	343	37	380
		30.8%	34.6%	31.1%
	Not very interested	232	27	259
		20.8%	25.2%	21.2%
	Not interested at all	208	15	223
		18.7%	14.0%	18.3%
Total		1113	107	1220
		100.0%	100.0%	100.0%

Q18. (Outdoor cinema) Which events or activities would you be interested to see at the Royal Pavilion garden?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	

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Very interested	436	44	480
	38.8%	41.5%	39.1%
Fairly interested	318	29	347
	28.3%	27.4%	28.2%
Not very interested	180	23	203
	16.0%	21.7%	16.5%
Not interested at all	189	10	199
	16.8%	9.4%	16.2%
Total	1123	106	1229
	100.0%	100.0%	100.0%

Q18. (Ice rink) Which events or activities would you be interested to see at the Royal Pavilion garden?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
Very interested	313	17	330	
	28.5%	16.7%	27.5%	
Fairly interested	323	29	352	
	29.4%	28.4%	29.4%	
Not very interested	262	31	293	
	23.9%	30.4%	24.4%	
Not interested at all	199	25	224	
	18.1%	24.5%	18.7%	
Total	1097	102	1199	
	100.0%	100.0%	100.0%	

Q18. (Big Sleepout and other charity events) Which events or activities would you be interested to see at the Royal Pavilion garden?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
Very interested	209	17	226	
	19.4%	16.5%	19.1%	
Fairly interested	357	30	387	
	33.1%	29.1%	32.7%	
Not very interested	306	39	345	
	28.3%	37.9%	29.2%	
Not interested at all	208	17	225	
	19.3%	16.5%	19.0%	
Total	1080	103	1183	
	100.0%	100.0%	100.0%	

Q18. (Garden shows) Which events or activities would you be interested to see at the Royal Pavilion garden?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
Very interested	351	39	390	
	31.3%	36.8%	31.8%	
Fairly interested	448	46	494	
	39.9%	43.4%	40.2%	
Not very interested	209	17	226	
	18.6%	16.0%	18.4%	
Not interested at all	114	4	118	

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	NOT interested at all	10.2%	3.8%	9.6%
Total		1122	106	1228
		100.0%	100.0%	100.0%

Q18. (Talks & tours) Which events or activities would you be interested to see at the Royal Pavilion garden?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	317	40	357
		28.8%	37.7%	29.6%
	Fairly interested	485	48	533
		44.1%	45.3%	44.2%
	Not very interested	212	14	226
		19.3%	13.2%	18.8%
	Not interested at all	85	4	89
		7.7%	3.8%	7.4%
Total		1099	106	1205
		100.0%	100.0%	100.0%

Q18. (Family trails) Which events or activities would you be interested to see at the Royal Pavilion garden?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	254	23	277
		23.5%	22.5%	23.4%
	Fairly interested	312	36	348
		28.9%	35.3%	29.4%
	Not very interested	296	24	320
		27.4%	23.5%	27.0%
	Not interested at all	219	19	238
		20.3%	18.6%	20.1%
Total		1081	102	1183
		100.0%	100.0%	100.0%

Q18. (Night time illumination events) Which events or activities would you be interested to see at the Royal Pavilion garden?

		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	623	58	681
		53.9%	52.7%	53.8%
	Fairly interested	363	34	397
		31.4%	30.9%	31.4%
	Not very interested	91	12	103
		7.9%	10.9%	8.1%
	Not interested at all	78	6	84
		6.8%	5.5%	6.6%
Total		1155	110	1265
		100.0%	100.0%	100.0%

Q18. (Activities for schools) Which events or activities would you be interested to see at the Royal Pavilion garden?

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		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Very interested	313	34	347
		28.5%	32.4%	28.8%
	Fairly interested	338	33	371
		30.8%	31.4%	30.8%
	Not very interested	226	19	245
		20.6%	18.1%	20.4%
	Not interested at all	221	19	240
		20.1%	18.1%	20.0%
Total		1098	105	1203
		100.0%	100.0%	100.0%

Q20. Did you know that the garden is largely maintained by volunteers?				
		Are you responding as...		All respondents
		Brighton & Hove resident	Visitor to the city	
	Yes	610	81	691
		50.3%	70.4%	52.1%
	No	602	34	636
		49.7%	29.6%	47.9%
Total		1212	115	1327
		100.0%	100.0%	100.0%

APPENDIX 2: CONSERVATION PLAN EXECUTIVE SUMMARY & POLICY SCHEDULE

APPENDIX 2A: EXECUTIVE SUMMARY

The Need for a Conservation Plan

Built as a seaside pleasure palace by King George IV, Brighton Pavilion is a truly iconic building and its pleasure grounds sought to match its Regency flamboyance through innovative landscape design and horticulture. First designed as a private royal retreat the Royal Pavilion Garden (the Garden) was opened to the public in 1851 and has now become one of Brighton's most loved and used public spaces. Nash's design was partly recreated in the 1990s and the Garden is one of the few surviving Regency style gardens in England.

However, high levels of use, anti-social behaviour and an erosion of character resulted in the Garden being placed on the Heritage at Risk Register in 2017. A Conservation Plan was commissioned by Brighton & Hove City Council to address the issues facing the Garden and with a view of restoring the Garden to its former glory.

Summary of the Royal Pavilion Garden's Heritage Significances

A full Statement of Significance is provided in **Section 3** of this Conservation Plan. This is supported by detailed Tables of Significance for each individual heritage asset in **Appendix 4**. The following is a summary of the key points of the Garden's Statement of Significance.

As a place the Royal Pavilion Garden captures a unique blend of historic, aesthetic and community significances. Its history as a Regency style private royal garden and setting for the exuberant Royal Pavilion is a central aspect of its significance; but so is its over 165 years as an important public park and open space in the heart of Brighton. These two aspects form the primary significances of the site.

In historic terms the Garden is one of the few surviving Regency style gardens in England. Its creation by Nash in the early 19th century marked an important stage in the development of landscape and garden design bringing contemporary aesthetics into the realm of the garden. Sadly, the pioneering and influential nature of the design was not recognised in later phases of the Garden's life and the design was gradually eroded and lost. The partial re-creation of the Nash garden in the 1980s and 1990s sought to address this loss by re-creating elements of the design and implementing a Nash style picturesque landscape. There were however physical limitations to the extent of the works and the analytical works that supported the re-creation were largely limited to documentary analysis.

Consequently, the current garden, or even the garden that was created at the end of the re-creation works process, cannot be considered to be a fully intact and authentic recreation of the Nash design. It is instead a well-informed re-creation that provides a strong sense of the original Nash design and incorporates key aspects of the design. Its historic and evidential value lies in the elements that are known to accurately reflect earlier features and in the clear sense it provides of how a Regency garden was laid out, planted and maintained.

There are four Nash views of the Royal Pavilion that include images of the Garden, represented by aquatints by A.C. Pugin and contained within 'Views of the Royal Pavilion' (**Figure 5**). These are significant as they provide evidence for the layout of the Garden and established principal views of the Royal Pavilion.

A substantial element of its significance also relates to its relationship with the Royal Pavilion and wider estate. As an ensemble they represent an important architectural statement and their royal connections provide them with historic resonance. The Garden unifies and brings the architectural elements together and is a fundamental component of their setting. In particular it provides the main landscape setting for the Royal Pavilion itself. The decline in the quality of the Regency-style landscape is therefore affecting the significance of both the Garden and the Pavilion.

Since 1851 the Garden has served a public purpose, in contrast to its original private design intent, as an accessible public park for the people of Brighton. It has become an important urban green space providing a venue for numerous formal and informal events. It is now well used all year round with over five million people visiting or passing through the Garden each year. Its use is supported by the in-garden café and a regular programme of events. Its openness and ease of access makes it a particularly attractive venue. This communal usage is a fundamental aspect of the Garden's significance and has been for over 165 years.

Headline Risks and Opportunities

Underlying most of the issues and challenges facing the Garden is the inherent tension between its historic significance as a flamboyant Regency garden associated with the Royal estate, and its modern function as an important urban green space in the centre of Brighton.

Historic England placed the Garden on the Heritage at Risk Register for South East England in October 2017 citing the following reasons:

- The Garden had begun to suffer visibly from the high levels of visitor use and recreational development pressure; and
- There has been an erosion of the character caused by a disparate range of fencing, litter bins, signage and lighting units.

The combination of these factors was viewed as weakening the sense of the Garden's rich history for visitors.

Risks and opportunities facing the conservation of the Garden's heritage significances are grouped under the following headings, and explored in **Section 4** of this Conservation Plan:

- Presence on the Heritage at Risk Register
- User pressures
- Condition of the Garden
- Anti-social behaviour
- Trees and ecology
- Long-term climate change risks
- Completeness of restoration works
- External development pressures
- Management costs and resources
- Access, Engagement & Profile
- Interpretation & Research

Key Policies

The primary purpose of this Conservation Plan is to ensure that the significances of the Garden are fully taken into account during day-to-day and strategic decision-making. The policies in **Section 5** are designed to support this purpose, being developed from the analysis of risks and opportunities presented in **Section 4**.

Section 5 is divided into seven sections. Key policies are:

Policy 1: Governance

Policy 2: Strategic Principles

Policy 3: Capital Works Priorities

Policy 4: Management & Operation Priorities

Policy 5: Masterplan & Guidance

Policy 6: Interpretation & Research

Policy 7: Audience Development & Engagement

Governance Policy 1a: If the Royal Pavilion & Museums is to move to an independent Trust, ensure that a Trustee a horticultural / historic parks background is appointed to the new Trust to provide oversight of the long-term conservation and management of the Royal Pavilion Garden element of the wider Estate.

Governance Policy 1b: If the Royal Pavilion & Museums is to move to an independent Trust, ensure that management structures within the Trust provide clarity on responsibility for the Garden and that appropriate levels of resourcing and revenue funding are maintained to support the Garden.

Governance Policy 1c: If responsibility for management remains with the local authority ensure that the daily management of the Garden remains with the Royal Pavilion and Museums division of B&HCC; and that regular integration meetings are held with other parties operating within the Royal Estate.

Strategic Principle 2a: Ensure all decisions and actions conserve and enhance the significance of the Garden (as defined in the Statement of Significance) and potential conflicts between significances are addressed through reasoned decisions supported, where necessary, by expert opinion and stakeholder engagement.

Strategic Principle 2b: Ensure future management and development decisions maintain the Garden's key role as a free to enter accessible public open space in the heart of Brighton.

Strategic Principle 2c: Maintain an appropriate level of capital and revenue funding/resources to ensure a high standard of management and maintenance of the Garden and explore possible new future funding sources.

Strategic Principle 2d: Ensure future management and development decisions maintain and enhance the distinctive historic character of the Garden and the "Nash Style" approach to horticulture and landscape design.

Strategic Principle 2e: Conserve the significance of the Garden by continuing to provide a high standard of management and maintenance.

Strategic Principle 2f: Promote the Garden's community and recreational values, providing facilities, activities and events which meet local people's and visitor's needs.

Strategic Principle 2g: Conserve, protect and enhance Nash's Views.

Strategic Principle 2h: Ensure a good understanding of the Garden's significance through a systematic approach to managing information and high quality interpretation.

Strategic Principle 2i: Adopt, Implement & Review the Conservation Plan.

Capital Works Priorities Policy 3a: Design and implement a boundary for the Garden that enables management of egress and exit in a way that is sympathetic to the Garden and surrounding area.

Capital Works Priorities Policy 3b: Improve and enhance the entrances to the Garden.

Capital Works Priorities Policy 3c: Enhance the Western Lawn compartment.

Capital Works Priorities Policy 3d: Enhance the East/North East Lawn compartments

Capital Works Priorities Policy 3e: Enhance the area of the Garden near to The Corn Exchange and The Dome.

Capital Works Priorities Policy 3f: Relocate the public toilets and maintenance sheds.

Capital Works Priorities Policy 3g: Rationalise and improve the Garden's furniture and path network.

Capital Works Priorities Policy 3h: Enhance the lighting within the Garden.

Capital Works Priorities Policy 3i: Improve the streetscape quality on all the lanes entering the Garden.

Capital Works Priorities Policy 3j: Remove or mitigate the features that detract from the Garden's character.

Management & Operational Priorities Policy 4a: Address the issue of the succession of the existing Head Gardener.

Management & Operational Priorities Policy 4b: Update the Management and Maintenance Plan (MMP) following the completion of any capital works or changes to procedures.

Management & Operational Priorities Policy 4c: Provide adequate training to staff and volunteers on managing and maintaining the heritage.

Management & Operational Priorities Policy 4d: Develop an agreed event accommodation and servicing procedure for the Garden.

Management & Operational Priorities Policy 4e: Digitally record the drawings from the restoration/plans for beds – to ensure these are not lost in a fire or other disaster.

Management & Operational Priorities Policy 4f: The Sustainability Policy of the new Trust should include specific elements relevant to the Garden.

Management & Operational Priorities Policy 4g: Develop a tree strategy.

Masterplan & Guidance Policy 5a: All of the capital works projects should be drawn together into an agreed Masterplan/concept design for the Garden.

Masterplan & Guidance Policy 5b: Establish design guidelines for the Garden and use appropriate methods and materials during any improvement/amendment (e.g. any new buildings, infrastructure, furniture and signage) and ongoing maintenance of the Garden.

Masterplan & Guidance Policy 5c: Carry out archaeological research on the Garden (e.g. geophysical surveying).

Interpretation & Research Policy 6a: Develop, implement and review an interpretation strategy for the Garden.

Interpretation & Research Policy 6b: Research, catalogue and conserve material in the archive.

Audience Development & Engagement Policy 7a: Develop, implement and review an Activity Plan.

Audience Development & Engagement Policy 7b: Enhance the programme of events and activities for all users.

Appendix 2B: Policy Schedule

Policies	Progress & next steps	Completion Date
Governance	When RPM moves to an independent Trust it is important to ensure management structures are in place to provide oversight, ensure appropriate levels of resourcing and reporting to the Council	Implementation Phase of RPM Trust
Strategic Principles	A management and decision making framework to guide the day to day management of the Garden to conserve and enhance the garden significances	Spring 2019
Capital work Priorities	A high level masterplan for the Royal Pavilion Estate has already been developed outlining investment priorities. These priorities formed part of the public consultation in. Round 1 HLF funding will support refinement and detailed development of capital programme	Dec 2019 for Round 2 HLF submission
Management & Operational Priorities	A Management & Maintenance Plan has been produced by Chris Blandford Associates to support this Conservation Plan further areas to be developed <ol style="list-style-type: none"> 1. Training & development plan for staff and volunteers (Part of HLF Round 1 work) 2. Event accommodation and servicing procedures(Part of HLF Round 1 work) 3. Digital Preservation strategy for Garden archives 4. Update of RPM Sustainability policy to include specific Garden elements 5. Tree Strategy 6. Succession planning 	Items 1, 2 & 3 by HLF Round 2 submission Dec 2019 Items 4, 5 & 6 June 2019
Masterplan & Design Guidance	To be developed to Riba Stage 3 as part of HLF Round 1 work	By HLF Round 2 Submission Dec 2019
Interpretation & Research Strategy	Interpretation Strategy to be developed to Riba Stage 2-3 for HLF Round 1 resubmission Research strategy to be funded via Round 1 in preparation of Round 2	March 2019 By HLF Round 2 Submission Dec 2019
Audience Development & Engagement Strategy	To be developed as part of HLF Round 2 works Access Audit to be undertaken in advance of re submission for HLF Round 1	By HLF Round 2 Submission Dec 2019 March 2019

Subject:	Royal Pavilion and Museums Collections Policies
Date of Meeting:	17 January 2019
Report of:	Executive Director Economy, Environment & Culture
Contact Officer: Name:	Janita Bagshawe
Email:	Janita.bagshawe@brighton-hove.gov.uk
Wards affected:	All

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to seek approval to adopt policies relating to the management of the Council's museum collections, to be applied by the Royal Pavilion & Museums service (RPM).
- 1.2 Policy, Resources and Growth Committee approved a suite of collections policies at its meeting on 25th January 2018 and noted that there were further policies still in development, and that these would be considered for adoption by the Tourism, Development & Culture Committee at a future meeting.
- 1.3 The report gives background relating to the national Accreditation Scheme for museums, administered by Arts Council England.
- 1.4 To comply with Accreditation standards, the report also seeks approval to the updated Collections Development Policy and to comply with guidance from the Department for Digital, Culture, Media and Sport, to an updated Human Remains Policy (both of these policies having been approved in earlier versions by Policy, Resources and Growth Committee at its meeting on 25th January 2018).

2. RECOMMENDATIONS

- 2.1 That the Tourism Development and Culture Committee adopts the policies attached in the appendices to this report:
 - Loans Policy (new);
 - Rights Policy (new);
 - Digital Preservation Policy (new);
 - Human Remains Policy (updated);
 - Collections Development Policy (updated).
- 2.2 Notes the outcome of the Accreditation process for the RPM notified to the Council in September 2018, and the actions and timetable for achieving full Accreditation.
- 2.3 Delegates authority to the Head of the Royal Pavilion and Museums, in liaison with the Chair of the Tourism, Development & Culture Committee, to transfer and

items to and from the city collections in accordance with the agreed Collections Development Policy for the reasons set out in 3.8 and 3.9 below.

3. BACKGROUND INFORMATION

3.1 The PRG Committee approved the policies for Collections Development, Collection Care & Conservation, Documentation & Information and Human Remains, together with the Documentation Procedure Manual; and RPM access statement at its meeting on 25 January 2018. The policies attached to this report were still under development, or were in need of updating, and are now attached for consideration and recommended for approval.

3.2 The benchmark for collections management practices in the UK is the Accreditation scheme managed by Arts Council England. The scheme is a periodic assessment of practices within the service, and Accreditation is a requirement for public funding of museums.

3.3 Accreditation is aimed at supporting services to:

- achieve agreed standards in how they are run, how they manage their collections and how they engage with users;
- build people's confidence in how museums manage collections in trust for society and how they manage public resources;
- reinforce a shared ethical way of doing things for everyone involved in the running of a museum.

3.4 The RPM was fully accredited in 2013 and was due for review in April 2017. However, owing to delays at Arts Council England, the review was not completed until October 2018. The RPM was awarded Provisional Accreditation, with a period of one year to complete the required actions for Full Accreditation to be achieved.

3.5 The Council's Collections Development Policy had a lifetime of 2013-17 and was therefore current at the time of the planned review in 2017. However, the Council's policy was out of date by the time of the review in 2018, as a new template for Collections Development Policies was introduced by ACE for Accreditation in 2014.

3.6 The required actions to be completed by September 2019, in order to reinstate the RPM's Full Accreditation are:

- A Collections Development Policy on the Arts Council's 2014 template, approved by the relevant Council Committee (which is TDC).
- An updated documentation plan confirming target timescale for completion of all backlog documentation.
- an update on the future management arrangements for RPM.

3.7 The Rights Policy reflects current sector best practice in relation to copyright law. The Digital Preservation Policy provides assurance that the management of digital assets is aligned with the work of our partners in The Keep (East Sussex County Council and University of Sussex), to meet the Archive Accreditation standard and will ensure our digital assets are preserved for the long term.

- 3.8 Museums Collections are actively managed. As the focus of the service changes over time to adapt to changes in the perception of heritage value, museums work together to maintain and build the integrity of collections. Through the years, items have sometimes been incorrectly accessioned while items may also need to be removed from collections where the materials they are made from are worn out or in cases of infestations which risk damaging other items.
- 3.9 Collections documentation is completed on an ongoing basis under the RPM Collections Development Policy. Nationally agreed protocols within the Accreditation standard and the Museums Association Code of Ethics enable museums to transfer and gift items between museums, including Museums which are not accredited. The RPM Collections Policy includes provisions for transferring items following the guidelines of the Museum's Association's Disposal Toolkit, where such transfers meet the following conditions:
- Be informed by an approved collections development policy.
 - Be based on clearly expressed intended outcomes.
 - Demonstrate long-term benefit to the object/s and public use of and engagement.
 - Be carried out with the intention that wherever possible items remain within the public domain.
 - Be agreed by the governing body.
 - Have a documented process carried out to SPECTRUM standards.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The recommendations in this report will address the current provisional accreditation of the service to enable the Council to meet the necessary national standard in order to maintain existing funding from ACE, retain the ability to apply for HLF funding and continue to hold the confidence of partners and lenders to exhibitions. They will also enhance public confidence in the services provided by RPM.
- 4.2 The alternative "do nothing" option would lead to Accreditation being withdrawn in September 2019 as the Council would not be able to meet the necessary standards for managing its collections and this would result over time in a decline in funding and a deterioration of the quality and coherence of the city's collections.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The recommendations in this report concern the Council's adherence to nationally agreed standards for museums practice, the business requirements of the Council and the conditions of funders and the accrediting body (Arts Council England).
- 5.2 The RPM service is committed to consultation with stakeholders and diverse interest groups and incorporates engagement into its approach to collections development. For example, recent initiatives such as *Queer Looks* (a collecting project informed by the perspectives of LGBTQ communities) and *Fashioning Africa* (a collecting project focussed on addressing the absence of post-1960s African fashion and textiles from UK museum collections) have established new approaches which have been recognised nationally. The use of a specially-

created collecting panel to direct the *Fashioning Africa* collecting strategy, which included members of African diaspora communities as well as academic partners, demonstrate how works with “targeted groups to collect strategically in order to make the collection more relevant to those groups” (*Collections 2030*, Museums Association, 2018).

6. CONCLUSION

- 6.1 The recommendations in this report support the Council to manage museum collections, held on behalf of the city, appropriately for the benefit of residents and visitors in the long term.
- 6.2 The actions detailed will enable the RPM to meet the Accreditation standard, which is the nationally agreed standard for collections development and care. Accreditation is a condition of some forms of external funding, including Arts Council England funding, which is essential to the continued running of the service.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Grants and other external contributions (not including fees and charges) contribute approximately £1.380m per year towards the Royal Pavilion and Museums revenue budget. Adoption of the policies recommended in this report is required for compliance with Accreditation standards necessary for eligibility of the majority of this external funding, as well as potential grants towards planned capital projects and other external funding opportunities to support heritage and culture.
- 7.2 The costs of producing and compliance with the policies outlined in this report will be funded from existing resources within the Royal Pavilion and Museums revenue budget.

Finance Officer Consulted: Steven Bedford

Date: 14/12/18

Legal Implications:

- 7.2 The policies themselves set out relevant legislation. Loans to and from the RPM will be governed by appropriate written agreements between the parties.

Lawyer Consulted: Alice Rowland

Date: 07/01/2019

Equalities Implications:

- 7.3 The collections development policy takes into account the need for collections to be representative of to reflect the diversity of Brighton & Hove’s communities. In order to achieve this, from time to time targeted collecting may be necessary and will be carried out in collaboration with community members.

Sustainability Implications:

- 7.5 Effective management of the collections is critical to preserving and using our assets for long term public benefit. The Natural Sciences collection contains a wealth of specimens specific to the distinctive landscapes of the city and its surrounds, including flora, fauna and geology. It is a vital data source for scientific study, including areas of current importance, such as climate change, conservation and extinction and habitat destruction and pollution. This can be as diverse as comparing current egg laying dates with those from the past to see how climate change affects bird behaviour (Sussex University, 2015), Studying historic Peregrine DNA to determine current Southern England population genetics (Canterbury University, 2014) and taxonomic research on South American lepidoptera (University of Northampton, 2016).
- 7.6 The Archaeology collections provide evidence of early human activity in this area, including material from Whitehawk Camp, one of the earliest sites of structured human activity in Brighton & Hove. The collection of some 4,000 topographical prints in the Fine Art collection, most of which are of the city and its surrounds, provides an important resource documenting the changes in the environment.

Any Other Significant Implications:

- 7.7 None

SUPPORTING DOCUMENTATION

Appendices:

1. Loans Policy (new)
2. Rights Policy (new)
3. Digital Preservation Policy (new)
4. Human Remains Policy (updated)
5. Collections Development Policy (updated).

Documents in Members' Rooms

1. None

Background Documents

1. Report to Policy, Resources and Growth Committee (Royal Pavilion & Museums), 25 January 2018.

Royal Pavilion & Museums Collection Development Policy

Agreed: January 2019

To be reviewed: January 2022

Name of museum:

Royal Pavilion & Museums, Brighton & Hove (RPM)

Name of governing body:

Brighton & Hove City Council

Date on which this policy was approved by governing body:

[TBC]

Policy review procedure:

The collections development policy will be published and reviewed from time to time, at least once every five years.

Date at which this policy is due for review:

January 2024

Arts Council England will be notified of any changes to the collections development policy, and the implications of any such changes for the future of collections.

1. Relationship to other policies & plans of RPM

1.1 RPM's mission:

'Our mission is to use our unique collections, buildings and knowledge to connect people to the past and help them understand the present in order to positively influence their future.'

RPM is also guided by a manifesto which contains a number of key pledges that inform its acquisition and use of collections <https://brightonmuseums.org.uk/manifesto>

1.2 The governing body will ensure that both acquisition and disposal¹ are carried out openly and with transparency.

1.3 By definition, RPM has a long-term purpose and holds collections in trust for the benefit of the public in relation to its stated objectives. The governing body therefore accepts the principle that sound curatorial reasons must be established before consideration is given to any acquisition to the collection, or the disposal of any items in RPM's collection.

1.4 Acquisitions outside the current stated policy will only be made in exceptional circumstances.

1.5 RPM recognises its responsibility, when acquiring additions to its collections, to ensure that care of collections, documentation arrangements and use of collections will meet the requirements of the Museum Accreditation Standard. This includes using Spectrum primary procedures for collections management. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.

1.6 RPM will undertake due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any object or specimen unless the governing body or responsible officer is satisfied that the museum can acquire a valid title to the item in question.

1.7 RPM will not undertake disposal motivated principally by financial reasons.

2. History of the collections

2.1 Royal Pavilion:

The history of our organisation starts with the purchase of the iconic Royal Pavilion (built for George IV in the early 19th Century) by the Corporation of Brighton in 1850 after Queen Victoria

¹ 'Disposal' is the term used in museum professional practice to describe the removal of an object from a museum's collections. It can include a range of activities, such as transfer to another museum or, in special circumstances, sale or physical destruction. It is a heavily regulated area of museum practice with clear guidelines from the Museums Association's Code of Ethics that inform the Accreditation standard.

chose the Isle of Wight for her seaside home. The town's policy of restoring and preserving the Pavilion was pursued from this time, with the Pavilion being used for a range of different civic purposes, the most famous of which was its role as a hospital in the First World War.

After the Second World War the state rooms were furnished for the Regency exhibition in 1947 and in the 1970s they were opened all year round. Today the restored rooms display many items which formed part of the palace's original furnishings on loan from the Royal Collection and other items from the early 19th century.

2.2 Brighton Museum & Art Gallery

The origins of Brighton Museum & Art Gallery can be traced back to the Royal Pavilion when, following the purchase of the Estate in 1850, an annual show of paintings was organised and from the hanging fees it was hoped to form the basis of a permanent fine art collection. Further rooms in the Royal Pavilion were set aside for use as a museum displaying local private collections by worthies who had formerly been members of the old literary and scientific society. Collections were transferred to this Museum from the old Literary Institute. It was called The Brighton and Sussex Museum and was opened in 1861 by Richard Owen the famous Victorian naturalist and included Willett's collection of Chalk Fossils - the first donation to the Museum - and Henry Turrell's Mineral collection.

By the early 1870s the collections had outgrown the available space in the Pavilion and the Corporation opened the purpose-built Brighton Museum & Art Gallery in 1873 on the site of Queen Adelaide's stables on the Royal Pavilion Estate.

2.3 The Booth Museum of Natural History

The Booth Museum, built in 1874 by Edward Thomas Booth (1840-1890) to house his personal and extraordinary collection of British birds, was bequeathed to the Corporation in 1890. RPM's extensive natural history collections were relocated to the Booth from Brighton Museum in the 1970s.

2.4 Preston Manor:

Preston Manor and its contents were bequeathed to the Corporation in 1932 following the deaths of its owners Sir Charles and Lady Thomas-Stanford. It opened as a museum in 1933, and its displays were enhanced in 1939 by a bequest of furniture, silver, porcelain and other items from the collection of designer and furniture historian Percy Macquoid. Today it is presented as an intriguing Edwardian House based how it would have looked before the First World War.

2.5 Hove Museum & Art Gallery

Hove Museum, once Brooker Hall, was purchased by Hove Corporation in 1926 and opened to the public as a Museum and Art Gallery in 1927. Today its family-friendly galleries display Royal Pavilion & Museums toys in the Wizard's Attic, craft collections, material related pioneering Hove film-makers of the 1890s and 1900s, local history and fine art.

3. An overview of the current collections

3.1 RPM is responsible for over one million artefacts, the collections comprising Fine and Decorative Arts, Local, Social and Oral History, Archaeology, Costume, Toys, Coins, Weapons, Photographs, Film, Musical Instruments, the Natural Sciences, World Art, Egyptology, Rare Book collections and archives. Three of the collections have Designated status (recognised to be of national and international significance); these are Decorative Art, World Art and Natural Sciences.

3.2 Collections held by RPM

3.2.1 Decorative Art

Designated collection comprising 17th century – present day British, European and American applied art and industrial design. This includes furniture and furnishing textiles, clocks and watches, metalwork and jewellery, glass and ceramics, also some Oriental and Islamic wares made for the European market and contemporary craft. The contemporary craft collection includes the Arts Council (South East) Craft Collection, comprising work in all media, by makers living or working in the South East region.

3.2.2 Natural Sciences

Designated collection covering local, British and international zoological, botanical and geological material, manuscripts and records. This includes The Booth Collection of British Birds, insects (especially Lepidoptera), osteology, birds' eggs, herbaria, molluscs and fossils, and The Booth Book Collection.

3.2.3 World Art

Designated collection of objects and textiles c12th century – present day, with the vast majority of the collection spanning the period 1850-1950 and relating to Africa, Asia, Oceania and the Americas. Includes some archaeological and European folk material.

3.2.4 Musical Instruments

Instruments from the 18th-20th century. This collection comprises European instruments c1780-1830, including a large collection of whistles, and ethnographic instruments c1850-2000 from Africa, Asia, Oceania and the Americas.

3.2.5 Fine Art

European old masters in particular from the Italian, Netherlandish, German and French schools, 18th-20th century British watercolours, 17th-20th century European prints, 16th century – present day British oil paintings, and the Heyer Bequest of 20th century American Post Abstract Expressionist paintings. Also includes Regency drawings, watercolours and caricatures in relation to the Royal Pavilion and topographical material relating to the history of Brighton, Hove and the immediate locality, including renowned personalities and events.

3.2.6 Costume and Textiles

British, West European and North American men's, women's and children's costume and accessories from the mid-18th century to the present day, costumes from Les Ballets (1933) and some European national costumes. Needlework, samplers and quilts from the mid-18th century to the present day.

3.2.7 Toys and Juvenilia

18th century – present day toys, games, dolls' houses and dolls including examples that represent particular cultural or ethnic groups. A small collection of nursery equipment and ephemera associated with childhood. A large proportion of this collection was acquired by the National Toy Museum & Institute of Play.

3.2.8 Film and Media

Lanterns and lantern slides. Material and equipment relating to film making in England and the cinema in south east England, 1896 to the present day.

3.2.9 Edged Weapons and Firearms

14th-20th century British and European material. Firearms comprise mid-19th century sporting and other civilian firearms including target rifles, hunting rifles, and a representative collection of British revolvers.

3.2.10 Local and Social History

18th century – present day artefacts, ephemera, photographs and negatives, British 18th-20th century domestic, agricultural and manufacturing tools and equipment, and vehicles. Also

includes reference material, books, journals, newspapers, ephemera and documentary archival material.

3.2.11 Archaeology

The archaeology collection is extensive and includes excavated material and stray finds of all periods from the Palaeolithic to post-Medieval predominantly from Brighton & Hove, and Sussex. Strengths include regionally important ice-age collections, internationally important material from Whitehawk Neolithic causewayed enclosure, and internationally important Bronze Age material, including the Hove Amber Cup assemblage and hoards from the area immediately around Brighton & Hove.

3.2.12 Egyptology

Egyptology from the pre-Dynastic era to the Roman period. There are approximately 1,700 individual objects represented, some of which relate to excavations by the famous Egyptologist, Flinders Petrie. The collection also includes a very important group of objects from Nubia/Sudan.

3.2.13 Numismatics

Classical Greek and Roman, Celtic, Anglo-Saxon, Medieval material through to the present, including Iron Age and Roman coins, British coins of all periods, as well as those from British overseas territories, and an important collection of trade tokens from Sussex, as well as others from the rest of Britain. The medal collection includes commemorative medals from Sussex, the majority of which relate to Brighton & Hove, commemorative medals marking events of national importance and some British service medals.

3.2.14 Oral History

Sound recordings made, commissioned or supported by RPM (oral histories and field recordings), or made privately by individuals or organisations acquired by donation, bequest, loan or purchase which relate to our current collections. The current sound collection includes recordings relating to archaeology, natural sciences, local and social history, fine art, world art, costume, decorative art, toys, film and media, Preston Manor, the Royal Pavilion, Brighton Museum, the Booth Museum and Hove Museum. The collection also holds the BBC Radio Brighton archive and local community oral history projects. Formats include wax cylinder, open reel, cassette, mini disc, CD, digital file and video.

3.2.15 Books and other Publications

Books, newspapers, and other publications can be found throughout our collections. Where such items are acquired as narrative and documentary information that supports knowledge

about our collections, these should be considered part of RPM's archive as described in 8.2 below.

3.2.16 The Royal Pavilion

This collection includes original artefacts from the Royal Pavilion, Regency decorative and fine art relevant to the refurbishment of the Royal Pavilion, and documents, pictures and other items relating to the history, development, occupants and workers of the Royal Pavilion estate (up to the present time).

3.2.17 Preston Manor

This collection contains items formerly in the house or in the possession of the Stanford family (primarily before the house was acquired by BHCC in 1932), topographical material, photographs, oral histories and written testimonies relating to Preston Manor, the gardens and the occupants.

3.2.18 Learning Collection

This collection is formed from accessioned and non-accessioned material from across all RPM's collections and is managed by the Learning Team as a collection of objects for use in learning sessions on site. Some objects are acquired for the Learning Collection on the understanding that they will undergo a certain amount of wear and tear.

Formal learning sessions for schools are co-developed with local teachers to ensure we meet the needs of the National Curriculum and wider issues surrounding children and young people. These place-based learning sessions draw on stories and collections that encourage a sense of belonging. Sessions currently include Ancient Egypt, The Stone Age, The Romans, The Victorians, Dragons, Murder Mysteries and Local History.

4. Themes and Priorities for future collecting

4.1 Collecting is a strategic activity that is conducted to support the aims and objectives of its business plan and its long-term role as a memory institution. In accordance with our mission to 'use our unique collections... to connect people with the past', the use value of collection items is assessed as part of the acquisition process. Typical uses of our collections include:

- Display in our museums, both permanently and temporarily
- Use in learning sessions with school and pre-school groups
- Making objects accessible to researchers, both academic and informal
- Digitisation and online publishing

- Close contact and handling sessions that support wellbeing
- Prompts for sessions that inspire creative practice
- Illustrative material for talks by RPM staff and visiting experts
- Loans to other museums

4.2 When collecting objects from a field work process, undertaken either by an in-house curator or by an external specialist, and particularly relevant for Natural Sciences, Archaeology and World Art, there is an understanding that RPM will accept only well-documented and provenanced collections.

4.3 All proposed acquisitions and disposals are presented by the relevant curator at the RPM Collections Development Panel, held monthly and chaired by a senior manager or delegated member of staff. The curator will present the case for the acquisition of an object or collection, based on an assessment of the following factors:

- How many items are likely to be accepted into the responsibility of the organisation
- The results of any significance assessment of the item or items
- Whether the items require any immediate care and conservation
- The availability of paid or unpaid employees to deal with the item
- The availability of storage space for the item
- The availability or likely availability of sufficient financial resources to deal with the item in the long term
- An assessment of potential demand and scope for access by users

All these factors will be considered with reference to this policy, RPM Collections Care and Conservation Policy and RPM Documentation and Information Policy.

4.4 Cross-collection Themes

While individual RPM collections include items of great importance and historical interest these are enhanced through their relationships with material in other collections. Themes which can be explored in depth and across a breadth of collections at RPM include.

4.4.1 The Regency

RPM cares for a unique and unparalleled collection of visual and material culture associated with the Regency period, a collection given particular focus and strength by its relationship with the Royal Pavilion. Our Regency holdings include furniture, ceramics, glass, metalwork, satirical prints and costume. Regency period material original to or appropriate to the Royal Pavilion is an ongoing collecting focus.

4.4.2 Local landscapes and biodiversity

Our Natural Sciences collection contains a wealth of specimens specific to the distinctive landscapes of the city and its surrounds, including flora, fauna and geology. Our Archaeology collections provide evidence of early human activity in this area, including material from

Whitehawk Camp, one of the earliest sites of structured human activity in Brighton & Hove. Many of our image collections, such as topographical prints in the Fine Art collection and photographic material in our Local & Social History collections, depict the city and its surrounds, providing an important resource documenting the changes in the environment from the 1700s to the present day. Looking to the future, we want to build on this area of strength with a particular focus on the promotion of biodiversity and exploring the impact of climate change.

4.4.3 Subversive design

As is appropriate for a city which houses the quirky and eccentric Royal Pavilion, our collections provide rich evidence of the work of artists and designers who have challenged design norms. Examples include: paintings and artefacts by major Surrealist artists, including Salvador Dali; a rare and exceptional collection of sets, costumes and props created for Les Ballets in 1933; and challenging examples of contemporary art and design, including pieces by Grayson Perry.

4.4.4 Internationalism

Our collections reflect the historical and contemporary cosmopolitanism of the city, with a particular focus on its relationship with the cultures, arts and citizens of India and China. The Royal Pavilion offers the best-preserved and most extensive use of chinoiserie in the country, alongside a distinctive and important collection of Chinese export ware. Its form is also inspired by Mughal architecture and India has had a particular relationship with our city. This relationship is documented in photographs which record the use of the Royal Pavilion as a World War I hospital for Indian soldiers, the India Gateway, the Jaipur Gate and the collection of pioneering Indian businessman Sake Dean Mahomed. We will continue to collect in ways which reflect this internationalism.

4.5 Collecting strands

Each curator at RPM collects, as appropriate, material against the cross-collection themes illustrated above, and in line with the specific key areas of collecting as per the sections detailed below.

4.5.1 Decorative Art (c1750 to the present). Key areas of collecting:

- British, European and American decorative art and design. In particular key pieces by established designers, makers and manufacturers.
- British contemporary craft, specifically key pieces by leading makers of national renown and work by makers living or working in the south east region.
- Archives and ephemera that include documentation/correspondence or period photographs, sketches, designs or blueprints for objects, models, maquettes or trial samples of material, and trade and exhibition catalogues relating to designers, makers or manufacturers represented in the collection.

4.5.2 Natural Sciences (Pre-Cambrian to the present) Key areas of collecting:

- Local geological specimens, flora and fauna (including that of marine origin) and archives and records from Brighton & Hove, and Sussex.
- British ‘hemiptera’, pseudoscorpions, psocoptera, Sussex marine life, local vertebrate material (as casualties).
- Documented field collection material relating to Brighton & Hove and Sussex and material illuminating aspects of regional biodiversity.
- Non-local British Lepidoptera, Coleoptera, Mollusca, Vertebrates, and plants.
- International material including Lepidoptera (specific families of butterflies), Mollusca (especially land snails), osteology and birds.

4.5.3 World Art (19th century to the present)

Key areas of collecting:

- Artefacts from Africa, Asia, Oceania and the Americas and their UK diaspora communities. Emphasis is given to acquisitions that are collected in dialogue or partnership with source communities.

In the period 2019-2022 World Art collecting activity will focus on:

- Artefacts and images which relate to changing fashion identities amongst African and African diaspora communities in the post-1950 period. This activity is intended to consolidate and extend strategic collecting undertaken through a Heritage Lottery Fund Collecting Cultures project (*Fashioning Africa* (2015-2019)), particularly through facilitating the development of displays of material acquired through this programme.
- Artefacts and images associated with the production and consumption of textiles from Myanmar (Burma). Particular attention will be given to artefacts designed, made, used and worn in contexts overlooked by earlier collecting activities. These contexts might include migration, displacement, conflict and diaspora.

4.5.4 Fine Art (c1600 to the present)

Key areas of collecting:

- Oils, watercolours and drawings, building on the strengths of the existing collections, especially by British artists with national or international reputations.
- Modern and contemporary art that relates to and/or reflects the lives and cultural diversity of people in Brighton & Hove (both by artists living or working in the locality and artists with national and international reputations).
- Modern and contemporary art of high quality in various media that supports the existing collection.
- Topographical images of Brighton, Hove and the immediate locality, together with works depicting renowned personalities and events in Brighton & Hove's history predominantly pre-1900.
- Material relevant to the cultural history of the Royal Pavilion, in particular, caricatures of George IV and his circle.

- Artists' moving image works that draw a line of continuity to the early cinema collection of the Brighton Film school.

4.5.5 Costume and Textiles (mid 18th century to the present)

Key areas of collecting:

- Costume, accessories and textiles with a strong provenance or reference to Brighton & Hove.
- Sussex costume and accessories from the Regency period, 1780s to 1830.
- Costume and accessories incorporating aspects of international fashion, especially those inspired by clothing worn in the Middle East, India, China and Japan
- Sub-cultural dress and testimony, from the 1950s to the present only, particularly pieces with a local provenance.
- Archival and ephemeral material with relation to objects within the existing collection, such as fashion magazines, fashion plates, patterns, photographs, catalogues.

4.5.6 Toys (17th century to the present)

Key areas of collecting:

- Dolls and accessories of all periods and types, dolls houses, furniture and fittings
- Toys and games
- Archive material, books and ephemera which are associated with the objects within the toy collection, and/or associated with the development of the National Toy Museum & Institute of Play.

4.5.7 Film and Media (1896-present)

Key areas of collecting

- Lantern slides, material and equipment relating to film-making and photography in Britain that contextualises RPM's current and local film and media collection.
- Material, equipment, documentation and testimony relating to the Brighton school of film-makers and early film-making pioneers
- Material, equipment and testimony relating to the history of cinemas in Brighton & Hove.

4.5.8 Local and Social History

RPM develops its Local History collection in order to be able to tell the stories of the people of Brighton & Hove, and of the events that have affected them. RPM acquires items which have been manufactured in, used in or associated with Brighton & Hove from the 17th century to the present. Acquisition will relate to one or more of the following spheres of local life experience:

- birth and death
- marriage, family and domestic life
- work, business and technology

- transport
- health and medicine
- conflict
- leisure and sport
- religion and belief
- politics
- civic and national life
- law, punishment and control
- childhood and education
- industry

RPM will seek to develop its Local History collections to reflect the diversity of Brighton & Hove's communities. In order to achieve this, from time to time targeted collecting may be necessary and will be carried out in collaboration with community members.

Key areas of collecting:

- Material relating to communities and minority groups of Brighton & Hove.
- Material relating to Brighton & Hove's historical and current position as a major seaside resort.
- Photographic material and other images of Brighton & Hove.
- Domestic social history material for display in the Royal Pavilion or Preston Manor.

4.5.9 Archaeology (Palaeolithic to post-Medieval)

RPM will collect individual artefacts and archaeological archives which relate to historical collections already held by RPM in accord with Sussex Museums Group guidelines for the county. Key areas of collecting:

- Material with Brighton, Hove or Sussex provenance in accord with the Sussex Museums Group guidelines for the county, with associated documentation.
- Archives produced by development-led archaeology within Brighton & Hove which have been rationalised, before acquisition, using the guidelines stated in the Society of Museum Archaeologists publication Selection, Retention and Dispersal of Archaeological Collections Guidelines 1993 and Sussex Museum Group's Deposition Policy and Procedure.
- Documentary archives relating to excavations or watching briefs undertaken in Brighton & Hove where no finds were recorded.

4.5.10 Numismatics (ancient to the present)

Key areas of collecting:

- Material with a Brighton & Hove or Sussex provenance, including coins, tokens, medals and badges.

4.5.11 Oral History (1900 to present)

Key areas of collecting:

- Testimony relating to all RPM sites and buildings, and their history. This includes the Royal Pavilion estate², Preston Manor, Hove Museum, and the Booth Museum.
- Testimony relating to RPM collections (see each collection strand for more detail)
- Testimony relating to people related to the history of RPM, including its buildings and collections, such as collectors, owners, donors, occupants, and past staff.
- Testimony collected to support the exhibitions, learning and community engagement programme of RPM.
- Testimony relating to local identity, the Brighton & Hove and Sussex landscape, culture and folklore. • 'Hidden histories' recorded material from under-represented communities and histories within Brighton & Hove.
- Recorded material from local community projects.

Format: Recordings on digital format (sound and video oral histories) are to be collected as well as recordings that are on older formats which are at risk due to playback obsolescence.

4.5.12 Learning and Handling

- Artefacts and material used for handling and demonstration to support new onsite learning sessions that draw on the needs of the National Curriculum and wider issues faced by children and young people.

4.5.13 Books and Archive Material (medieval to the present)

Key areas of collecting:

- Books, ephemera and archive materials relating to the people who were historically associated with, developed or deposited RPM collections such as, but not exclusive to: Henry Willett, Herbert Toms, Fredrick Lucas, Edward Thomas Booth, Sir Charles and Lady Ellen Thomas-Stanford.
- Books, ephemera and other archive materials (including sketches, designs, and models) up to the present time, relating to the history of RPM and the buildings that RPM cares for: the Royal Pavilion and the Royal Pavilion estate (including Brighton Museum & Art Gallery); Preston Manor and gardens; the Booth Museum of Natural History; Hove Museum & Art Gallery

² *The Royal Pavilion estate includes the Royal Pavilion; Brighton Museum & Art Gallery; Brighton Dome; the Corn Exchange; the William IV Gate; the Indian Gate; and the Pavilion gardens.

- Books and archive materials ranging from medieval manuscripts and incunabula to autograph letters as appropriate to support RPM's Business Plan and the key collecting areas of each collection. (See individual collection strands for further details).

4.5.14 Preston Manor

Key areas of collecting:

- Items formerly in the house or in the possession of the Stanford family (primarily before the house was acquired by BHCC in 1932).
- Items that are related to pieces listed in the 1906 inventory of contents of Preston Manor, such as Edwardian furniture, decorative arts and artefacts.
- Topographical material relating to Preston Manor.

4.5.15 The Royal Pavilion

Key areas of collecting:

- Original material from the Royal Pavilion.
- Material relating to George IV, William IV and Queen Victoria, particularly with reference to their connection with the Royal Pavilion.
- Regency furniture, decorative arts, and artefacts which are original, or appropriate to, the Royal Pavilion, and artefacts relevant to the refurbishment of the Royal Pavilion.
- Fine Art material suitable for the historical restoration of the Royal Pavilion, as well as images relevant to its cultural history.
- Archives and ephemera that include documentation/correspondence or period photographs, sketches, designs or blueprints for objects, models, maquettes or trial samples of material, and trade and exhibition catalogues relating to designers, makers or manufacturers represented in the Royal Pavilion collection.

5. Themes and Priorities for Rationalisation and Disposal

5.1 The museum recognises that the principles on which priorities for rationalisation and disposal are determined will be through a formal review process that identifies which collections are included and excluded from the review. The outcome of review and any subsequent rationalisation will not reduce the quality or significance of the collection and will result in a more useable, well managed collection.

5.2 The procedures used will meet professional standards. The process will be documented, open and transparent. There will be clear communication with key stakeholders about the outcomes and the process.

5.3 While individual RPM collections include items of great importance and historical interest they also contain artefacts that have been obtained historically with no provenance, no documentation and are of no current use, either due to their current condition or because they

hold little relevance to the core collections and do not 'fit' with the current or past collecting policies.

RPM has identified several current priorities for objects that should be considered for disposal. These will be assessed through either comprehensive collection reviews or assessment frameworks developed in accordance with the Museums Association's Disposal Toolkit:

5.3.1 . Unaccessioned material, including:

- unsolicited donations, with no records
- objects or material with little or no documentation.

5.3.2 Accessioned objects (and/or objects from the Education Collection) which have:

- significant damage or have significant deterioration, which means that they can no longer be used or displayed, and have no research potential.

5.3.3 Accessioned objects that are:

- a hazard and cannot therefore be used safely;
- poorly provenanced, and for which RPM holds little or no documentation;
- a duplicate of another object, which cannot be used for educational sessions or any other uses;
- an object that would benefit from improved storage and improved use by being transferred to a specialist (or nonspecialist) museum a significant or non-significant object that would be better suited to being used by another Accredited museum which holds a strong collection of objects of this type;
- an object which does not fit with the core collection, and holds little or no relevance to current collecting policy;
- a significant or non-significant object that is relevant to the local history of another area that this RPM Collections Development Policy does not cover ie outside Brighton & Hove, Sussex, or southern UK.

6. Legal & Ethical Framework for acquisition and disposal of items

6.1 The museum recognises its responsibility to work within the parameters of the Museum Association Code of Ethics when considering acquisition and disposal.

7. Collecting policies of other museums

7.1 The museum will take account of the collecting policies of other museums and other organisations collecting in the same or related areas or subject fields. It will consult with these organisations where conflicts of interest may arise or to define areas of specialism, in order to avoid unnecessary duplication and waste of resources.

7.2 Specific reference is made to the following museums and organisations, and their shared areas of interest:

Members of Sussex Museums Group:

- Hastings Museum – World Art
- Horsham Museum – Local & Social History, Costume
- Bexhill Museum – Costume, Archaeology, Natural Sciences, World Art
- Eastbourne Redoubt Fortress – Military, Edged Weapons
- Worthing Museum -- Costume, Archaeology
- Littlehampton Museum
- Chichester Museum – Archaeology
- Weald & Downland Open Air Museum – Local Architecture, Tools
- Amberley Museum & Heritage Centre – Industrial Heritage, Tools
- Sussex Archaeology Society – Archaeology within Sussex, Local History
- Brighton Toy & Model Museum – Local & Social History, Toys, Models

- East Sussex Record Office, Lewes – Archives of East Sussex, and Brighton & Hove (under agreement with BHCC and RPM)
- West Sussex Record Office, Chichester – Archives of West Sussex
- Fishing Museum, Brighton – Local & Social History
- Old Police Cells Museum, Brighton – Local & Social History
- Pallant House, Chichester – Fine Art, Decorative Art, Local & Social History
- Towner Art Gallery, Eastbourne – Fine Art (eg. artists' moving image), Local & Social History
- Jerwood Gallery, Hastings – Fine Art (currently not collecting specifically for Hastings Gallery)
- National Trust – Fine Art, Decorative Art, Local & Social History (with relation to properties situated in local Sussex region)
- English Heritage – Fine Art, Decorative Art, Local & Social History (with relation to properties situated in local Sussex region)

8. Archival holdings

8.1 While RPM collects archival material such as photographs, letters and other records, it does not (with the exception of archaeological archives) acquire large and complex collections with a clear provenance that would be considered 'Structured Archives' as defined in AIM's 'Successfully Managing Archives in Museums' (2015). Proposals to acquire structured archives will be referred to the East Sussex Record Office (ESRO)³ or an appropriate subject specific institution with Archive Accreditation.

8.2 RPM creates its own archives in the form of:

- Documentary and narrative material associated with the museum's collections;
- Administrative records which illustrate its history and activities as an institution.

While this material is a structured archive, it should not be considered part of its accessioned collections, but an essential part of the documentary and narrative information managed by RPM that supports its collection management.

8.3 Archaeological archives are considered a part of the archeological collections in accordance with Selection, Retention and Dispersal of Archaeological Collections Guidelines 1993 as defined in 4.5.9.

9. Acquisition

9.1 Authority to acquire items for RPM's collections is delegated to the Head of RPM by Brighton & Hove City Council.

9.2 Proposed acquisitions and disposals are presented by the relevant curator at the RPM Collections Development Panel, held monthly and chaired by the Head of Collections, Interpretation & Learning, or delegated staff member. The relevant curator will present the case for the acquisition of an object or collection based on a written Collection Impact Statement. This statement will provide an assessment of the care, conservation, access and information requirements of the object in line with this policy, RPM Collections Care and Conservation Policy and RPM Documentation and Information Policy. It will also assess the potential demand from audiences and the scope for future use of the object.

9.3 The museum will not acquire any object or specimen unless it is satisfied that the object or specimen has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws. (For the purposes of this paragraph 'country of origin' includes the United Kingdom).

³ ESRO is the archive service managed by East Sussex County Council. It is part of the Keep partnership which also includes the University of Sussex's Special Collections and RPM.

9.4 In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from November 1 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the museum will reject any items that have been illicitly traded. The governing body will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.

10 Human Remains

10.1 As the museum holds or intends to acquire human remains under 100 years old, it will obtain the necessary licence under the Human Tissue Act 2004 and any subordinate legislation from time to time in force.

10.2 As the museum holds or intends to acquire human remains from any period, it will follow the procedures in the 'Guidance for the care of human remains in museums' issued by DCMS in 2005.

11. Biological and geological material

11.1 So far as biological and geological material is concerned, the museum will not acquire by any direct or indirect means any specimen that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection or natural history conservation law or treaty of the United Kingdom or any other country, except with the express consent of an appropriate outside authority.

12. Archaeological material

12.1 The museum will not acquire archaeological material (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.

12.2 In England, Wales and Northern Ireland the procedures include reporting finds to the landowner or occupier of the land and to the proper authorities in the case of possible treasure (i.e. the Coroner for Treasure) as set out in the Treasure Act 1996 (as amended by the Coroners & Justice Act 2009).

13. Exceptions

13.1 Any exceptions to the above clauses will only be because the museum is:

- acting as an externally approved repository of last resort for material of local (UK) origin
- acting with the permission of authorities with the requisite jurisdiction in the country of origin

In these cases the museum will be open and transparent in the way it makes decisions and will act only with the express consent of an appropriate outside authority. The museum will document when these exceptions occur.

14. Spoliation

14.1 The museum will use the statement of principles 'Spoliation of Works of Art during the Nazi, Holocaust and World War II period', issued for non-national museums in 1999 by the Museums and Galleries Commission.

15. The repatriation and restitution of objects and human remains

15.1 The museum's governing body, acting on the advice of the museum's staff may take a decision to return human remains (unless covered by the 'Guidance for the care of human remains in museums' issued by DCMS in 2005), objects or specimens to a country or people of origin. The museum will take such decisions on a case by case basis; within its legal position and taking into account all ethical implications and available guidance. This will mean that the procedures described in 16.1-5 will be followed but the remaining procedures are not appropriate.

15.2 The disposal of human remains from museums in England, Northern Ireland and Wales will follow the procedures in the 'Guidance for the care of human remains in museums'.

16. Disposal procedures

16.1 All disposals will be undertaken with reference to the Spectrum primary procedures on disposal, and other professional guidance such as the MA's 'Disposals Toolkit'.

16.2 The governing body will confirm that it is legally free to dispose of an item. Agreements on disposal made with donors will also be taken into account.

16.3 When disposal of a museum object is being considered, the museum will establish if it was acquired with the aid of an external funding organisation. In such cases, any conditions attached

to the original grant will be followed. This may include repayment of the original grant and a proportion of the proceeds if the item is disposed of by sale.

16.4 When disposal is motivated by curatorial reasons the procedures outlined below will be followed and the method of disposal may be by gift, sale, exchange or as a last resort – destruction.

16.5 The decision to dispose of material from the collections will be taken by the governing body only after full consideration of the reasons for disposal. Other factors including public benefit, the implications for the museum's collections and collections held by museums and other organisations collecting the same material or in related fields will be considered. Where required, expert advice will be obtained and the views of stakeholders such as donors, researchers, local and source communities and others served by the museum will also be sought.

16.6 A decision to dispose of a specimen or object, whether by gift, exchange, sale or destruction (in the case of an item too badly damaged or deteriorated to be of any use for the purposes of the collections or for reasons of health and safety), will be the responsibility of the governing body of the museum acting on the advice of professional curatorial staff, if any, and not of the curator or manager of the collection acting alone

16.7 Once a decision to dispose of material in the collection has been taken, priority will be given to retaining it within the public domain. It will therefore be offered in the first instance, by gift or sale, directly to other Accredited Museums likely to be interested in its acquisition.

16.8 If the material is not acquired by any Accredited museum to which it was offered as a gift or for sale, then the museum community at large will be advised of the intention to dispose of the material normally through a notice on the MA's Find an Object web listing service, an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate).

16.9 The announcement relating to gift or sale will indicate the number and nature of specimens or objects involved, and the basis on which the material will be transferred to another institution. Preference will be given to expressions of interest from other Accredited Museums. A period of at least two months will be allowed for an interest in acquiring the material to be expressed. At the end of this period, if no expressions of interest have been received, the museum may consider disposing of the material to other interested individuals and organisations giving priority to organisations in the public domain.

16.10 Any monies received by the museum governing body from the disposal of items will be applied solely and directly for the benefit of the collections. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections in order to meet or exceed Accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Any monies received in compensation for the

damage, loss or destruction of items will be applied in the same way. Advice on those cases where the monies are intended to be used for the care of collections will be sought from the Arts Council England

16.11 The proceeds of a sale will be allocated so it can be demonstrated that they are spent in a manner compatible with the requirements of the Accreditation standard. Money must be restricted to the long-term sustainability, use and development of the collection.

16.12 Full records will be kept of all decisions on disposals and the items involved and proper arrangements made for the preservation and/or transfer, as appropriate, of the documentation relating to the items concerned, including photographic records where practicable in accordance with Spectrum procedure on deaccession and disposal.

Disposal by exchange

16.13 The nature of disposal by exchange means that the museum will not necessarily be in a position to exchange the material with another Accredited museum. The governing body will therefore ensure that issues relating to accountability and impartiality are carefully considered to avoid undue influence on its decision making process.

16.13.1 In cases where the governing body wishes for sound curatorial reasons to exchange material directly with Accredited or non-Accredited museums, with other organisations or with individuals, the procedures in paragraphs 16.1-5 will apply.

16.13.2 If the exchange is proposed to be made with a specific Accredited museum, other Accredited museums which collect in the same or related areas will be directly notified of the proposal and their comments will be requested.

16.13.3 If the exchange is proposed with a non-Accredited museum, with another type of organisation or with an individual, the museum will place a notice on the MA's Find an Object web listing service, or make an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate).

16.13.4 Both the notification and announcement must provide information on the number and nature of the specimens or objects involved both in the museum's collection and those intended to be acquired in exchange. A period of at least two months must be allowed for comments to be received. At the end of this period, the governing body must consider the comments before a final decision on the exchange is made.

Disposal by destruction

16.14 If it is not possible to dispose of an object through transfer or sale, the governing body may decide to destroy it.

16.15 It is acceptable to destroy material of low intrinsic significance (duplicate mass-produced articles or common specimens which lack significant provenance) where no alternative method of disposal can be found.

16.16 Destruction is also an acceptable method of disposal in cases where an object is in extremely poor condition, has high associated health and safety risks or is part of an approved destructive testing request identified in an organisation's research policy.

16.17 Where necessary, specialist advice will be sought to establish the appropriate method of destruction. Health and safety risk assessments will be carried out by trained staff where required. Environmental sustainability will be considered, and materials recycled where possible

16.18 The destruction of objects should be witnessed by an appropriate member of the museum workforce. In circumstances where this is not possible, eg the destruction of controlled substances, a police certificate should be obtained and kept in the relevant object history file.

Royal Pavilion & Museums
DRAFT Digital Preservation Policy 2019

Agreed: January 2019

To be reviewed: January 2022

1. Introduction

Royal Pavilion & Museums (RPM) is both a collector and producer of digital media. It creates digital surrogates and documentary and narrative information about its collections, and may acquire born-digital material or objects¹ in accordance with its Collection Development Policy. Aside from its collections, RPM also produces research data, business records and other digital content which may need to be preserved on an indefinite or permanent basis. These digital formats require RPM to develop new methods of management, care and access alongside existing practices for physical material.

This Policy is a declaration of RPM's recognition of this need, and its commitment to developing the skills, processes, IT infrastructure and other resources to provide care and access, and ensure the longevity of this digital material. Alongside its physical collections, RPM recognises that this digital material is an important long-term asset for its workforce and the public benefit. This Policy also embodies the principles underlying the care of digital material and relates directly to the RPM Collections Development Policy, RPM Collections Documentation and Information Policy RPM Care and Conservation Policy and RPM IPR and Reproduction Policy.

2. The Need for this Policy

RPM's mission is to preserve the past to inform the present. One of the five aims in its 2018-22 Business Plan is to be more strategic in caring for and developing its natural, scientific and cultural resources for present and future generations. When in digital form, these cultural resources can be in a massive array of formats and media which creates complex preservation issues. These include:

- *'Bit rot' in which data slowly degrades in its storage medium, often as a result of environmental factors*
- *Obsolescence or scarcity of equipment to play back or retrieve old digital formats*
- *Mechanical failure of storage media, such as hard drives*
- *Proprietary formats, which may be unsupported by vendors*
- *Ease in which digital media can be changed or deleted without necessarily leaving an audit trail of the changes*

These inherent problems with digital media may also be exacerbated by other conditions.:

- *Digital media is often voluminous, making it difficult to pinpoint and pull out those documents of archival value.*
- *It is often poorly managed, making it difficult to assess collections or*

¹ The term born-digital refers to material or objects that originate in a digital form.

confirm provenance or authenticity.

- *There can be a lack of high-level organisational support to resource and implement digital preservation.*
- *There can be a lack of digital literacies in the workforce.*
- *For these reasons the digital record is much more fragile and transitory than its paper equivalent.*

3. Purpose of the Policy

The purpose of the Digital Preservation Policy is to:

- State the principles that will guide RPM's work in digital preservation.
- Provide the basis for future planning, whenever digital preservation is a part of collection management or information management activity.

4. Scope of the Policy

This Policy covers all digital material of historic value, including:

- Born digital accessioned collections;
- Collections information in digital form;
- Digital material or objects created out of the digitization of analogue records.

It also corresponds to the procedures, standards and best-practice set out in the RPM policies referenced in section 1 above.

5. Digital Preservation Principles

1. RPM recognises that preserving digital content is intrinsically linked with collections knowledge, documentation and care, and enabling access to that material and in a way that is appropriate to individual audiences.
2. RPM recognises the importance of digital preservation and will provide high level support for its implementation and operation.
3. RPM understands that preserving digital content demands active, constant management and sustainable, sufficient resourcing.
4. RPM will use international standards and best practice to meet its preservation responsibilities.
5. RPM will, in some circumstances, have to be mindful of technology in its acquisition decisions. It recognises that there are, and will be, digital content that is easier to preserve due to the form that it is created in. Where possible it will seek to have content deposited in these preferred forms, while retaining the integrity of the content.
6. Preservation actions will always result in new versions of the digital

content. In the case of born-digital material or objects in the collection, this will not directly affect the original item. As a matter of course the original bit stream will also be preserved.

7. RPM understands that functionality and context can play a role in the comprehension of content and will make every effort to maintain that functionality (or a description of that functionality).
8. RPM will endeavor to make all reservation actions transparent and auditable.
9. Digital content will be separated from its physical carrying media and migrated to new storage. Where appropriate, the physical media will be preserved separately.
10. With the exception of born-digital material or objects that are accessioned into RPM's collections, digital material produced or acquired by RPM may be shifted to new formats on a lossless basis i.e. there is no degradation to the quality of the material.
11. RPM will endeavour to record relevant rights and uses data with the assets.

6. Implementation

This Policy states RPM's aspirations and approach towards the preservation of digital content in its care.

This Policy will be implemented through the development of procedures to create a practical framework within which the long-term preservation of digital content can take place, and implemented through phased and measurable activity.

This policy will be implemented with reference to professional guidelines and requirements, such as Museum Accreditation, and in compliance with relevant legislation, such as data protection regulations.

As digital preservation is a nascent area of practice, with relatively little guidance for museums, RPM will work with reference to other organisations such as the Collections Trust, Museums Association and Oral History Society, as well as with local partners such as the Keep, and the universities of Sussex and Brighton, to develop new practices for digital preservation, and to incorporate and contribute to the development of professional practice in the wider heritage sector.

7 Roles and Responsibilities

Ensuring the preservation of digital documentary heritage materials is the responsibility of all RPM's workforce.

The day-to-day business of preservation in born-digital material or objects is led by the professional staff in Collections and Conservation at the RPM who will work to develop and implement digital preservation solutions.

The digital preservation of documentary and narrative information, and other forms of records and digital media will be the responsibility of RPM's Digital Manager and Head of Royal Pavilion & Museums, as appropriate.

8. References

'Is your oral history legal and ethical?' guidance, Oral History Society, 2012

British Library AV conservation policy also.

<https://www.iasa-web.org/iasa-publications>

IASA-TC 03 (2017) [The Safeguarding of the Audiovisual Heritage: Ethics, Principles and Preservation Strategy](#)

Ia. IASA-TC 04 (2009) [Guidelines on the Production and Preservation of Digital Audio Objects](#)

IASA-TC 05 (2014) [Handling and Storage of Audio and Video Carriers](#)
DPC Digital Preservation Handbook; Society of American Archivists Glossary; University of Michigan Library glossary; Digital Curation Centre

National Digital Stewardship Alliance (NDSA) preservation levels (NDSA, 2013)

Collections Trust; MLA Renaissance East Midlands (2008) Digital preservation guidelines for museums

Royal Pavilion & Museums Human Remains Policy

Date at which this policy is due for review: January 2022

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1. Introduction

- 1.1 This Policy covers collections held by Royal Pavilion & Museums (referred to as “the Service”).
- 1.2 Human remains have a unique status within museum collections. They have the potential to make a contribution to the public good, through research, teaching and, in appropriate cases, display. In many instances they also have a personal, cultural, symbolic, spiritual or religious significance to individuals and/or groups. This places a special responsibility on those museums that hold them.
- 1.3 The Service acknowledges the Department of Culture, Media & Sport’s (DCMS) Guidance for the Care of Human Remains in Museums (2005) (referred to as “the DCMS Guidance”) and this publication is used as a reference throughout this Policy.
- 1.4 The Service’s present position on the care and use of human remains is set out within this document. It will be reviewed at least every five years, in tandem with the Service’s Collections Development Policy (2018).

2. What does “Human Remains” mean?

- 2.1 The definition of human remains for the purposes of this Policy follows that given in the DCMS Guidance:

The term human remains is used to mean the bodies, parts of bodies and cremated remains, of once living people from the species *Homo sapiens* (defined as individuals who fall within the range of anatomical forms known today and in the recent past). This includes osteological material (whole or part skeletons, individual bones or fragments of bone and teeth), soft tissue including organs and skin, embryos and slide preparations of human tissue. This might also include bodily material from living people as well

In line with The Human Tissue Act 2004, the definition does not include hair and nails, although it is acknowledged that some cultural communities do give these a sacred importance. Human remains also include any of the above that may have been modified in some way by human skill and/or may be physically bound-up with other non-human materials to form an artefact composed of several materials. Another, but much smaller, category of material included within this definition is that of artworks composed of human bodily fluids and soft tissue. (Taken from DCMS Guidance, p9)

- 2.2 Where it is known that cultural communities give hair and nails sacred importance, this material will be treated in the same way as human remains according to the above definition and as outlined below.

3. Current scope of human remains in the collections

- 3.1 The Service holds more than 1,500 pieces of human remains in four of its collections: Natural Sciences, Archaeology & Local History (which includes Egyptology), World Art and Decorative Art. The remains fall into the following categories:

Collection	Material
Natural Sciences	Osteology
	Histology/pathology
Archaeology & Local History	Osteology
	Cremated remains
	Artefacts, including teeth
Egyptology	Mummified remains
World Art	Artefacts
Decorative Art	Artefacts

Natural Sciences hold some prehistoric material but the vast majority of human remains are no more than 200 years old.

The material from Archaeology & Local History is almost exclusively from Sussex. The Sussex holdings include known human skeletal material (unmodified) from the Neolithic (e.g. Whitehawk) through to the AngloSaxon period (around 1200 BP [800 AD]). The majority is Anglo-Saxon. This material also includes cremated remains.

The ancient Egyptian mummified remains are around 3,000 years old.

Those human remains in the World Art collection are all modified in some way, often for secondary use and are probably no more than 200 years old.

Decorative Art material is around 120-200 years old.

- 3.3 The Service holds human remains by virtue of the historic collections it cares for, for the purposes of research, public and specialist education and the better understanding of humanity.
- 3.4 The Service believes in being open about the contents of the collection and making information available to all enquiries. It will work towards publishing full details of its holdings in a printable format and on the Service's website.

4. Legal

This Policy complies with a number of legal requirements.

- 4.1 The Service cannot legally own human remains except where these remains have been treated or altered „through the application of skill“. „Skill“ is not clearly defined but is likely to include a scientific preparation or the work of an artisan.
- 4.2 The 2005 Church of England and English Heritage joint publication Guidance for Best Practice for Treatment of Human Remains Excavated From Christian Burial Grounds in England (2005) notes that although there are no property rights in human remains, post-excavation processing (such as marking remains with date, site etc), may fall within the definition of the „application of skill“ and possibly

endow skeletal remains with property rights. In this regard, further recommendations are provided in the Society of Museum Archaeologists publication, Selection, Retention and Dispersal of Archaeological Collections (1993, 1997).

- 4.3 Human remains less than 100 years old (from the 1st September 2006) come under the statutory requirements of the Human Tissue Act 2004. If the Service holds such material it will be required by law to obtain a license from the Human Tissue Authority (HTA) to hold human remains that are less than 100 years old. In order to obtain a license, the Service will have to meet various requirements and adhere to the Code of Practice issued by the HTA as well as to the guidelines for good practice set out in the DCMS Guidance. For human remains less than 100 years old, the Service's HTA-approved „Designated License Holder“ will be the Head of Collections, Interpretation & Learning.
- 4.4 Under the Freedom of Information Act 2000 the Service has a requirement to provide information for enquiries received by Brighton & Hove City Council when requested to do so. All requests are considered on their own merits and the Service will provide information within 10 working days with due consideration being taken regarding the Data Protection Act 2018.
- 4.5 Under the provisions of the Data Protection Act 2018, the Service is required to safeguard the confidentiality of personal data. Should the case arise, appropriate consent will be sought regarding the disclosure of such information if it is necessary.
- 4.6 Under the Human Rights Act 1998, there are implications concerning the rights of indigenous peoples who might lay claim for the return of human remains. Specific Articles of the European Convention on Human Rights and its Five Protocols mean that the Service may have obligations to such claimants.
- 4.7 Unauthorised disinterment of a body is a common law offence. Human remains removed during archaeological excavations in the UK are subject to a Home Office license or directions. Church law requires the reburial of skeletal material excavated from an active church. The Service adheres to these requirements.

5. Ethical framework

- 5.1 The DCMS Guidance is not statutory, but it makes recommendations for best practice. In its approach to the care and treatment of human remains, the Service bases its principles on the ethical and procedural frameworks proposed in the DCMS Guidance.
- 5.2 In summary, the Service will, in handling human remains and claims relating to them, demonstrate:
 - Rigor (act rationally with appropriate knowledge, skill and care, and justify decisions)
 - Honesty and integrity (be worthy of trust by others, declare conflicts of interest, show honesty in communicating knowledge with all interested parties, act in a principled manner)

- Sensitivity and cultural understanding (show sensitivity and compassion for the feelings of individuals, show understanding of different religions, spiritual and cultural perspectives)
- Respect for persons and communities (show respect for individuals and communities, minimise any adverse effect had on people and communities, respect privacy and confidentiality)
- Responsible communication, openness and transparency (listen, inform and communicate openly and honestly)
- Fairness (act fairly, give due weight to the interests of all parties, act consistently).

(Taken from DCMS Guidance, p14)

5.3 The following ethical principles will guide and inform decision-making concerning the handling and care of human remains and in considering claims:

- Non-maleficence (doing no harm)
- Respect for diversity of belief (respect for diverse religions, spiritual and cultural beliefs and attitudes to remains, tolerance)
- Respect for the value of science (respect for the scientific value of human remains and for the benefits that scientific inquiry may produce for humanity)
- Solidarity (furthering the understanding of humanity through cooperation and consensus in relation to human remains)
- Beneficence (doing good, providing benefits to individuals, communities or to the public in general)

(Taken from DCMS Guidance, p14-15)

6. Policy Objectives

6.1 This Policy enshrines the procedural responsibilities and ethical principles outlined in the DCMS Guidance for the management and use of human remains in the Service's care. It also draws on additional professional guidelines and standards to inform policy and practice, including:

- Human Tissue Authority (HTA) Public Display Code of Practice (2006)
- Documentation Standard (updated 2005)
- Collections Trust, (DCMS 2005)
- Museums Association professional guidelines and standards (acquisition, disposal, access)
- Museums Association Code of Ethics, 2008, revised 2015
- Museums Libraries & Archives Council (MLA) Inspiring Learning for All (2006)
- Benchmarks in Collections Care for Museums, Archives and Libraries 2.0. London: Collections Trust, 2011
- SPECTRUM 5.0 The UK Museum Collections Management Standard
- Guidance for Best Practice for Treatment of Human Remains Excavated From Christian Burial Grounds in England Society of Museum Archaeologists Selection, Retention and Dispersal of Archaeological Collections, Guidelines for use in England, Wales and Northern Ireland (1993 & 1997)
- ICOM Code of Ethics, 2006 (<http://archives.icom.museum/ethics.html>)

- 6.2 The Service will work towards these in those areas where current policy and practice require improvement. Head of Royal Pavilion & Museums has overall responsibility for ensuring that the procedural responsibilities and ethical principles for the care of human remains in this Policy are properly adhered to, with delegated responsibilities to the relevant Keepers/Curators of Natural Sciences, Archaeology & Local History, World Art and Decorative Art.
- 6.3 Human remains should be treated with respect. Wherever possible, the Service will take account of the wishes of genealogical descendants, cultural communities and faith organisations in the care, management and use of human remains.
- 6.4 Reference is made below to the Service's Human Remains Group. This is made up of the Head of Royal Pavilion & Museums, Senior Keeper and relevant Keepers/Curators.
- 6.5 To keep abreast of good practice, we remain an active members of the Human Remains Specialist Subject Network

7. Collections care and management

Acquisition

- 7.1 The Service will acquire human remains in full and open consultation with appropriate communities. In addition to consent from genealogical and culturally affiliated groups, all acquisitions of human remains will be made in accordance with the Service's Collections Development Policy (2018). Human remains will be acquired responsibly and ethically in accordance with legal requirements and professional standards and so long as the Service is satisfied that it can hold the remains in a lawful manner; provenance has been clearly established; there is no suspicion of illicit trade; and the remains are of potential value to the Service or wider scientific community. Acquisition of remains under 100 years old will, additionally, fall within the remit of the Human Tissue Act 2004

De-accessioning

- 7.3 Human remains must be de-accessioned responsibly, with reference to the legal, ethical and professional principles and procedures set out in the DCMS Guidelines and in accordance with the Service's Collections Development Policy (2018).
- 7.4 Claims for the return of human remains are considered below. If the Service wishes to de-accession human remains in other circumstances it will be proactive in trying to establish whether any genealogical or cultural descendants exist who might wish to make a claim for return or reburial of historic human remains, although it is unlikely that the Service has material from known individuals. In respect of recent human remains that are identifiable, HTA advice is not to approach families proactively, but to comply with family requests for tissues or organs to be returned if claims are made.
- 7.5 At this time, the Service will only pro-actively dispose of human remains by transfer to another Accredited institution with an appropriate human remains policy.
- 7.6 The Service supports the view in The Guidance for best practice for treatment of human remains excavated from Christian burial grounds in England (Church of England/English Heritage, 2005) that reburial of remains after excavation, rather

than long-term retention for scientific research, denies a potentially valuable

research resource to future workers. Indiscriminate reburial of museum collections is therefore undesirable.

7.7 It also accords with Selection, Retention and Dispersal of Archaeological Collections”, Guidelines for use in England, Wales and Northern Ireland (Society of Museum Archaeologists, 1993 and 1997) that re-deposited, disarticulated and fragmentary remains will be retained for their potential contribution to the understanding of funerary and non-funerary practices and post-depositional disturbance, this being especially important for prehistoric sites where fragmented human remains may be recovered from contexts which are not primarily of funerary nature.

7.8 The Service’s Human Remains Group will produce a report and recommendations for the Director of Royal Pavilion & Museums to take to the Service’s governing body for any human remains the Service wishes to pro-actively de-accession, in accordance with the Service’s Collections Development Policy (2018)

Claims for return

7.9 The Service will be open and transparent when dealing with any legitimate claim. Full consultation and equitable negotiations will form the basis of any claim.

7.10 The Service considers that claims are unlikely to be successful for any remains over 300 years old, and are highly unlikely to be considered for remains over 500 years old, except where a very close geographical, religious, or cultural link can be demonstrated.

7.11 The Service will seek to establish the status of the „claimant community“. Broadly, this might be expected to fall into one of two categories: genealogical descendants⁶ or cultural communities of origin⁷.

Where the claim is being made by another party on behalf of the claimant community, wherever possible, the community’s support for the claim must be clear.

7.12 Requests must be in writing to the Head of Collections, Interpretation & Learning and be supported by appropriate documentation. All claims will be formally acknowledged in writing within 10 days, together with an indication as to how long the claim may take and the Service’s procedures for dealing with such claims.

7.13 If any such claim is made the Service will be proactive in helping to determine whether the claim is just and take all necessary steps to ensure the claim is properly processed in a sensitive and unbiased way. A full investigation will be undertaken openly and with the full co-operation of the claimant and any other interested parties. The Human Remains Group, working in consultation with claimants, will gather evidence relating to any claim. The Group will use this Policy and procedural guidance in the DCMS Guidelines (Part 3: Claims for the

⁶ “individuals (who) can demonstrate a direct and close genealogical link to the human remains...” (DCMS 2005: 26)

⁷ “For a community to be recognised...it would generally be expected that continuity of belief, customs or language could be demonstrated between the claimants and the community from which the remains originate.” (DCMS 2005: 26)

return of remains) as the basis for the production of a report and recommendations for the Head of Royal Pavilion & Museums to take to the Service's governing in accordance with the Service's Collections Development Policy (2018).

In undertaking the investigation the Service will, where necessary, engage relevant specialists to provide independent reports. Service staff will be responsible for collating evidence relating to any claim, including commissioning independent research.

In advance of the submission of the report to the Service's governing body, the report may be first considered by an advisory panel, formed of external specialists brought together for that sole purpose. Wherever possible, the Service will ensure that the panel reflects a broad spectrum of interests relevant to the case. The panel's role will be to assess whether the criteria for assessing a claim (as set out in 3.3.2 Evidence Gathering, Part 3: Claims for the return of remains, DCMS Guidelines) have been adequately addressed in the report. Only when this is found to be the case will the Service proceed with a recommendation to the governing body.

7.14 Once a decision has been made, a written report will be prepared that explains how the decision was reached. Claimants will be informed of the decision in writing and decisions will also be published on the museum website.

7.15 Where a decision is made to return remains, the Service will negotiate an agreement with the claimant representative concerning the arrangements for their return. The Service expects that normally claimants will bear the cost of transport for remains returned.

Storage

7.16 Each Keeper responsible for a collection containing human remains will, as a priority, audit storage provision, using Benchmarks in Collection Care, and report to the Human Remains Group on any improvements necessary to meet „Good“ practice classification.

7.17 Human remains will be kept in suitably safe and secure premises, with monitored environments, which are, as far as is practicable, kept clean and regularly checked for pests, damaged and leaking storage containers and other potential threats.

7.18 It will be the aim to place material in individual, marked boxes that also act as auxiliary supports to facilitate handling without direct physical contact. Physical contact will be kept to a minimum although, when absolutely necessary, direct contact with skin will be avoided through the use of conservation standard gloves.

7.19 Human remains will be stored so that access to them is allowed only to authorised staff and supervised visitors with specific permission. Where human remains comprise a small proportion of a larger collection, curators will identify a designated area where human remains will be stored, to create conditions supportive of respectful treatment.

Associated objects

7.20 The DCMS Guidance states that it will usually be acceptable to store objects found associated with human remains separately. However, where known, the wishes of descendants, cultural communities or relevant faith organisations will be taken into consideration. Objects associated with human remains in the care of the Service will be documented with reference to those remains.

7.21 In certain circumstances it may be deemed appropriate to store artefacts and animal remains found in association with the bodies of the dead with the remains they are related to. In such cases, in-house conservation advice will be sought to determine the required conditions and location (Historic Scotland The Treatment of Human Remains (1997)).

Conservation

7.22 The integrity of human remains is important in many belief systems and is also crucial to their future research and study.

7.23 Consent will be sought for any conservation work on material less than 100 years old and consultation undertaken with genealogical descendants or cultural communities for historic human remains.

7.24 A full record of treatment applied to the remains (e.g. washing and sieving of cremations) will be retained as part of the archive associated with any human remains. Appropriate health and safety regulations, such as those concerning the control of substances hazardous to health (COSHH), will be complied with.

Marking and Labelling

7.25 The Service will number the human remains in its care in such a way as to minimise the risk of loss or disassociation. Marking and labelling will, as far as is practicable, be in accordance with Collections Trusts' Guidelines and professional standards. Although the marking of skeletal remains is standard practice for English remains, this is not always acceptable for those from other cultures.

Documentation

7.26 In all circumstances, copies of all relevant paper or digital records (such as authorisation and funding agreements, correspondence, excavation records, specialist reports, letters etc.) must be retained. In addition, all information connected with conservation, sampling, loans, display, research, filming, photography and use of human remains must be properly documented and this data clearly linked with the remains concerned.

8 Use and access

Access and research

8.1 The Service will develop a research ethics policy (to include a consideration of sampling and other destructive analysis) and an application form for access to human remains. Applicants will be required to sign the application to show that they will abide by the policy and understand their ethical and legal obligations to treat human remains with dignity and respect. All requests to research human remains should be made through the relevant Keeper/Curator. Access to human remains will be granted only after the terms and nature of the access required

has been agreed and appropriate supervision is established. The relevant Keepers/Curators are responsible for ensuring proper handling, care, and security of items being examined by researchers.

- 8.2 The Service will keep a research register of all access granted to human remains.
- 8.3 It may be appropriate to restrict access to certain specified human remains where unrestricted access may cause offence or distress to genealogical or cultural descendants. The Service will not allow public access to any human remains while the outcome of a claim for their return by a source community is pending.
- 8.4 Requests regarding tissue (slides), and any other material less than 100 years old, require the approval of the Service's Human Tissue Authority approved license-holder.
- 8.5 Requests involving invasive or destructive samples for analysis will be assessed on a case by case basis by the Human Remains Group.
- 8.6 Research and sampling of contested or identifiable human remains will only be made after due process of consultation.

Teaching and learning

- 8.7 Provided due regard is given to sensitivities and the care of the objects, it is acknowledged that human remains in teaching sessions can have far more educational impact than using models or other media.
- 8.8 Any members of the public, including teachers, schoolchildren and students, need to be forewarned of any human remains in a museum-based or off-site teaching session. Prior to access to human remains, participants in the session will be told what is meant by dignified and respectful treatment of human remains.

Display

- 8.9 Visitor surveys in other museums have shown that most museum visitors are comfortable with, and often expect to see, human remains as an element of museum displays. The Service continues to display human remains for the purposes of education – for example, explaining burial practices and the use of human remains in the manufacture of artefacts, to bring visitors into physical contact with people of the past and to encourage reflection.
- 8.10 In accordance with the Museum Ethnographers Group Guidelines on Management of Human Remains (1991 and 1994), the Service will endeavor to "take a proactive rather than reactive position with regard to the display of human remains". Each display containing human remains will be assessed. The assessment will take into account a) the contribution made to the interpretation and whether this contribution could not be made equally through another medium, and b) whether the display is likely to cause offence to genealogical or cultural descendants. Sufficient and appropriate explanatory material should be provided for each display. Decisions on whether and how to include human remains in displays will take account of the intended audience, the display objectives, the method of display and interpretation, the visual and physical

impact of human remains and their fragility. Consideration will be given to how best to prepare visitors to view them respectfully, to explain the context in which they are being displayed, and to warn those who may not wish to see them at all. Wherever possible, consultation will take place to ensure human remains are displayed suitably and acceptably.

8.11 Each entry on the Service's collections website will be assessed in the same way as a display, taking into account the interpretation and value of placing the human remains material on the web.

8.12 Presentation (whether in museum displays or on the web) of contested or identifiable human remains will only be made after due process of consultation and consent.

8.13 As with all displays, light and environmental conditions as well as the safety and security of the display will be taken into account to ensure that the remains are shown respectfully and safely.

Loans

8.14 All loans will adhere to the Service's collections policies. Due regard to the respectful and sensitive handling of the material must be stressed and any loanee must adhere to guidance laid out in this Policy, the DCMS Guidance and the Guidance for best practice for treatment of human remains excavated from Christian burial grounds in England (Church of English/English Heritage, 2005). Likewise, these will be followed when the Service borrows human remains from other institutions. The Service's Human Remains Group will advise the Head of Royal Pavilion & Museums on any requests for incoming or outgoing loans of human remains from the collections.

8.15 Loans of contested or identifiable human remains will only be made after due process of consultation and consent.

Photography and film

8.16 It is generally acceptable to use photography and film of human remains for research, educational and general museum use. However, the views of relevant communities should be taken into account, and consideration should be taken of any sensitivities regarding the taking of pictures and / or how images might be used.

8.17 With any material less than 100 years, the appropriate sections of the Human Tissue Act 2004 will be taken into consideration.

8.18 Currently, photography and filming in the galleries are not prohibited. However, the Service will place labels in galleries with human remains on display, requesting visitors to use sensitivity in photographing or filming them and where appropriate, directing visitors to further information available at the Information Desk.

8.19 Researchers wishing to photograph or film human remains will need to note this on their application, describe the benefit to be gained from it and indicate how s/he intends to use the material in a sensitive and appropriate manner. Applications will be assessed on a case by case basis.

8.20 Requests for images will be assessed on a case by case basis. If/when image orders are agreed to, the images will be accompanied by a note of what is meant by dignified and respectful treatment of human remains.

8.21 Photography or film of contested or identifiable human remains will only be made available (or new images/footage taken) after due process of consultation and consent.

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Birmingham Museum & Art Gallery, Bristol's City Museum & Art gallery, The British Museum, Glasgow Museums, Hunterian Museum and Art Gallery, Leicester City Museums Service, Liverpool Museum, Museum of London, Natural History Museum, National Museums on Merseyside, Pitt Rivers Museum (University of Oxford), Nottingham City Museum & Gallery, Plymouth Museum.

**Royal Pavilion & Museums
IPR & Reproduction Policy 2018**

Agreed: January 2019

To be reviewed: January 2022

Introduction

This document describes how Royal Pavilion & Museums (RPM) manages the intellectual property rights (IPR) it creates and uses in the course of its business. It outlines how RPM manages third party rights in the collections and assets in its care, and how it allows others to re-use the IP that it creates.

Although this policy covers a range of IP, it is primarily focused on copyright and related moral rights, and database rights. It is guided by current laws and professional ethics including:

- Copyright, Design and Patents Act 1988 (as amended)
- Berne Convention for the Protection of Literary and Artistic Works 1886
- Museums Association, Code of Ethics, London: Museums Association, 2008, revised 2015
- SPECTRUM 5.0 The UK Museum Collections Management Standard, London: Collections Trust, 2017
- 'Is your oral history legal and ethical?' guidance, Oral History Society, 2012

The policy also relates to other RPM policies and procedures including:

- RPM Access Policy Statement 2018
- RPM Collection Development Policy 2018
- RPM Collections Documentation and Information Policy 2018
- RPM Volunteer Policy 2017
- RPM Digital Policy 2018
- RPM Digital Preservation Policy 2018
- RPM Collections Management and Documentation Procedure Manual 2018

Rights Ownership in the Collections¹

RPM holds a variety of collections, and the copyright status of these is variable. Some objects, such as our archaeology collections, are too old to be protected by copyright; others are not usually eligible for copyright protection as the objects were not created by humans.

Where collections are still protected by copyright or other IPR, this usually belongs to an external individual or organisation. In most cases this will be the creator or their estate. As with many heritage organisations, RPM holds a large number of 'orphan works': objects which are legally protected by copyright, but where the owner cannot be identified or traced.

¹ The terms 'collections' and 'objects' in this policy refer to both physical material and intangible items such as oral histories and born-digital objects.

Where copyright was transferred to the museum at the time of acquisition, this will usually belong to Brighton & Hove City Council.

As RPM's collections are too numerous and complex to conduct a full IPR audit, rights ownership is usually established and recorded at the point of acquisition, retrospective documentation, digitisation, or recorded use of the object. The decision is usually made by the relevant curator, supported by advice from the Digital Manager where necessary.

RPM recognises that items lent to it are frequently protected by copyright, and will follow the advice of the lender in ascertaining ownership.

Rights Ownership in Collection Surrogates and other Information

The copyright status of photographs and other media that capture or reproduce our collections (usually known as 'surrogates') frequently differs from that of the original object.

Providing copyright in the original object does not belong to a third party, the copyright of surrogates RPM creates of 3D objects in its collections usually belongs to Brighton & Hove City Council as a result of its contractual agreements with the staff member, volunteer or freelancer who produced it.

In exceptional circumstances, RPM may permit researchers and other users of its collections to create surrogates and retain copyright, but explicit permission must be granted for this, and will usually only be granted on the condition that the surrogate is placed under an open licence and a copy is provided to RPM free of charge.

RPM does not require the transfer of copyright in photographs and other reproductions made by members of the public of collections that are on display in our galleries or loaned for display elsewhere.

RPM follows current guidance from the Intellectual Property Office (IPO) and recognises that it cannot claim copyright in faithful 2D reproductions of 2D objects which are no longer protected by copyright. It considers these surrogates to be in the public domain.²

Where surrogates of copyright protected objects are created under 'fair dealing' or the specific exceptions that apply to museums, libraries and archives, RPM recognises that copyright remains with the original rights holder for the same term as the original object.³

² *Copyright Notice: Digital Images, Photography and the Internet*, Intellectual Property Office, November 2015, p 3 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/481194/c-notice-201401.pdf

³ *Exception to Copyright: Libraries, Archives and Museums*, Intellectual Property Office, October 2014 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/375956/Libraries_Archives_and_Museums.pdf

Where possible, RPM claims IPR on behalf of Brighton & Hove City Council in all other information and assets it creates, including image, text, software and data.

Rights Use

RPM will protect and exploit its IPR for the purpose of delivering its mission. While its primary purpose is for education, RPM may also use its IPR for commercial purposes, such as marketing and the creation of new retail products.

Where possible, RPM publishes surrogates and catalogue data about its collections under open licences or as public domain assets (see Access section for more details). While these are often made available free of charge, RPM may charge licence fees for some types of use, or for the service of supplying these assets, irrespective of rights.

RPM also uses external agencies, such as Bridgeman Art Library, to commercially exploit its IPR or to manage services such as print on demand. All such agreements are non-exclusive.

IPR owned by lenders and other external bodies is always managed according to the terms of the contract or other written agreement. RPM will ensure that its use of IPR belonging to other bodies is correctly credited at the point of publication, use or supply.

Aside from collection surrogates and catalogue data, RPM will generally reserve all rights in the IPR it creates. However, some items may be released under open licences or through bespoke agreements on a case by case basis.

Management & Systems

A large number of RPM staff and volunteers are involved in the creation and management of IPR. Internal training is periodically delivered in this, and advice is frequently given on specific rights issues.

Two ICT systems are used to help manage IPR:

1. RPM's collection management system, Mimsy XG, is used to record information about the copyright status of objects in its collections. In addition to information about the ownership of copyright, and its expiry date, RPM uses a hazard field to alert users to items that are clearly protected by copyright.
2. RPM's digital asset management system, Digital Media Bank, records information about the rights of digital assets, including collection surrogates, images from lenders, business records and publications. This records details about the rights holder, credit line and licence type, and also embeds this information into the file metadata at the point of download using the IPTC schema.

Access

RPM staff and volunteers can access copyrighted assets through the collection and digital asset management systems mentioned above, alongside its shared drive. All these systems require a log-in to view or download such assets, and access is only granted to staff once they have been trained in the use of these systems and understand the consequences of misuse of such material.

Surrogates of copyright protected objects in RPM's collection may only be made available to the public through supervised onsite sessions, or with the use of dedicated terminals in its museums or at the Keep. These terminals will be configured for offline use only, and users will not be permitted to download or remove copies of the works.

Where there is no significant risk in infringing the copyright of a third party, public access to RPM's collection data and surrogates is through its online catalogue and Digital Media Bank. The catalogue data and images up to 1200 pixels on the longest size are published as open data, and made available through an open API. This feeds the collection search facility on RPM's website at brightonmuseums.org.uk and partner sites such as the Keep catalogue.

Surrogates in media other than still images, such as copies of oral histories, will be made available through streaming, rendering, and downloadable platforms as appropriate for the available technology and RPM's ability to permit re-use of these assets.

Where RPM owns the IPR in the surrogate, the image and accompanying catalogue data are made available for re-use under a Creative Commons Attribution-Share Alike licence (CC BY-SA). Where the surrogate is not protected by copyright or any other form of IPR, it will be declared public domain. This open licensing framework is a key component of its data sharing arrangements with the Keep and other partners, and the commitments RPM makes to funders who insist on open outputs from the work they support.

Collection data, surrogates and other assets may also be made available under other agreements to aggregators and distributors, such as Art UK. In some cases, subsets of RPM's collection data may be released under a rights waiver as Creative Commons Zero / Public Domain (CC0).

Credit Lines

All use of RPM's IPR should be credited to the 'Royal Pavilion & Museums, Brighton & Hove'. Where assets are released as public domain, RPM also requests that the same credit line is applied so that researchers and other users can identify the source of the material.

For online use, a link back to the Digital Media Bank or online source of the asset may be requested.

RPM will always ensure that credit lines are clarified with lenders and other organisations as part of the agreement of use. It will ensure that these credit lines accompany use of these works in the form most appropriate for the medium and type of use.

Safeguarding Rights

Unless covered by an open licence or other agreement, written permission should be sought for the use of RPM's IPR. In most cases this will be confirmed in writing by email, but in some cases a formal licence agreement may be required.

RPM will endeavour to only use the IPR of others where it believes it has permission to do so, or is covered by fair dealing exceptions. It will ensure that all such use is properly credited, as agreed with the rights holder.

In the case of orphan works RPM will take a managed risk approach in its use, assessing the likelihood and severity of complaint against the public benefit in using the work. Third parties wishing to use orphan works in RPM's collections will be required to obtain permission from the UK government's Orphan Works Licensing Scheme before the asset can be supplied.⁴

Third parties wishing to reproduce objects in RPM's collections where the copyright holder is known, will be advised to obtain permission before any assets can be supplied. RPM will not clear rights on behalf of third parties, and all costs must be borne by the third party.

Infringements & Take Down

If RPM becomes aware that its IPR is being used without permission, or beyond the reasonably understood terms of the agreement or open licence under which it was issued, it will request that the relevant asset be taken down in the first instance. If the use is one that RPM would usually charge for, it will request payment of the standard fee. In some cases, RPM may also take legal action.

Staff and volunteers are encouraged to seek advice if unclear about using others' IPR, and to inform the Digital Manager of any infringements made by RPM. In the

⁴ <https://www.gov.uk/guidance/copyright-orphan-works>

case of an infringement that is likely to cause complaint, the asset will be taken down, or the action reversed.

Rights holders who believe RPM is infringing their IPR or moral rights are invited to contact RPM setting out a) the basis of their claim to ownership; b) the precise nature of their complaint; c) a suggested course of action to remedy the situation. RPM will enter into such discussions in good faith, but will only take down assets or discuss remedial action once it is clear that there is a robust legal basis to the complaint.

Royal Pavilion & Museums Loans Policy 2018

Agreed: January 2019

To be reviewed: 2022

1 Introduction

The mission of the Royal Pavilion & Museums' (RPM) is to preserve the past to inform the present.

RPM engages in outgoing and incoming loans within the remit set out in this Loans Policy document, in line with our current Business Plan. The aims of our 2018-22 Business Plan are:

- Be more strategic in caring for and developing our natural, scientific and cultural resources for present and future generations.
- Develop a distinctive offer at each of our five sites and online to support learning, creativity and well-being
- Actively engage more people in understanding, developing and / or interpreting our shared collections, including a focus on children and young people
- Build a co-operative, sustainable and resilient organisation that supports the wider cultural sector
- Ensure the organisation and its work reflects the diverse culture of contemporary society

RPM welcomes requests to borrow its items for inclusion in exhibitions or other use at other venues recognising this as an important way of facilitating access to its collections, reaching new audiences and inspiring learning and enjoyment.

This policy covers all loans of objects both outgoing and incoming to RPM. It also applies to movement of objects out of the RPM for conservation or study purposes. It does not cover the Booth Museum School Loans Service.

Associated terms and conditions and agreements are placed in the Loans –in and Loans-out contracts (X:\4 Collections Management\Loans\Loan forms) and ensure that loans follow SPECTRUM standards and best practice, and they are integral to RPM's Collections Documentation and Information Policy 2018, and RPM's Collections Management & Documentation Procedure Manual 2018.

2 Principles

RPM will not lend to any exhibition which includes objects known or reputed to have been stolen, illegally exported or illegally excavated.

RPM will not accept on loan any object where they have good cause to believe:

- that the current holder does not hold legitimate title to the object;
- that the object was stolen, illegally imported, exported or excavated.

RPM will regularly review its long term loans in and out.

3 Loans In

The reasons why objects may be borrowed include (but are not limited to):

- Temporary exhibition or long-term display at Royal Pavilion & Museums
- Exhibition as part of a touring show developed by Royal Pavilion & Museums
- Education
- Research

The relevant Collections or Programming staff member/s will:

- be responsible for the administration and documentation of loans, and in accordance with RPM's documentation policy and procedure;
- discuss the loan conditions with Collections Care and Security colleagues to ensure appropriate conditions can be met before the loan is agreed;

RPM will:

- provide insurance or Government indemnity for the sum specified by the lender during the loan period;
- undertake to care for the objects on loan to it in the same way as it cares for the objects it owns, fulfilling the responsibilities of an Accredited museum service. This includes appropriate levels of documentation and physical care of the objects;
- only undertake remedial conservation by prior agreement with the lender.

Long-term loans (up to three years) may need to be checked and assessed by the relevant Collections or Programming staff member/s and a Conservator before the loan is agreed.

Only in very exceptional cases will RPM accept long-term loans for non-display purposes.

All loans-in must be agreed by the Head of Royal Pavilion & Museums and the RPM Collections Loan Panel which meets every six weeks.

4 Loans Out

Loan requests

RPM makes loans for many reasons, which may include (but are not limited to):

- to make its collections accessible to new and diverse audiences around the UK and the world;
- to further knowledge and scholarship relating to the objects in its care;
- to enhance the reputation of the RPM and increase national and international co-operation.

Requests must be made in writing to the 'Director of RPM' at least six months in advance of the proposed loan. The loan request must state the total number of tour venues and dates to which objects will travel during the period of the loan, if relevant.

If the request is to carry out research on Human Remains, an Access to Human Remains application form will also need to be submitted).

Requests are considered by the RPM Loans Panel which meets every six weeks, and include (but are not limited to):

- Learning and Research loans
- Exhibition loans (including touring exhibitions)
- Long-term 'partnership' loans
- Outreach

RPM will consider all requests to borrow objects from its collections on a case-by-case basis. This includes loans to venues that are not UK Accredited or Registered museums and galleries (or a recognised overseas equivalent).

The decision on whether or not to approve a loan will depend on the overall public benefit of the loan weighed against the risk to the objects requested and/or the risk to the reputation of RPM. The decision will take into account RPM's existing commitments, the reasonable expectations of its visitors and other regular audiences, the rarity and significance of the object in question, and the safety of transporting the requested objects, as well as collections care and security at the borrowing venue.

Loans out will only proceed where the Borrower is able to accept RPM's Terms and Conditions for loans. The loan will cease immediately if these are breached.

There is no limit on the number of objects that may be requested, however, the borrower should be aware that the practicalities of preparing a large number of objects for loan may mean that the request cannot be fully filled or may incur additional costs. The maximum length of a loan is up to five years but will be at the discretion of RPM's Loans Panel.

As RPM is actively encouraging more public contact with objects from its collections there is no limit on the number of venues which can be included within a loan request. However, the fragility or existing display scheduling of the objects included in the loan may mean that permission cannot be given for all objects to travel to all venues.

The Borrower will be responsible for all customs and export documentation for loans abroad.

RPM asks Borrowers to be mindful of its Sustainability Policy in undertaking its loan (such as the re-use and recycling of packing and crates).

Costs to be met by the borrower

The Borrower will usually be responsible for all costs in connection with the loan. RPM will consider bearing part or total costs of a loan which it feels is of strong public benefit in accordance with the aims and objectives of those initiatives.

These costs may include conservation, mounting and framing, the preparation of the condition report/s, documentation and research, packing, courier expenses, transport, photography, insurance and security and indemnifying RPM against any loss of, damage to, or deterioration in the condition of the objects. Some loans, notably those to overseas venues, may incur an administrative charge.

Facilities reports

RPM will usually request a full facilities report from the Borrower prior to objects being lent but this will be assessed on a case by case basis and take account of the object's significance and use.

RPM's Collections and Conservation staff will specify environmental conditions for each loan and may request regular reports on the temperature, humidity and pest monitoring at the premises during the period of the loan.

Major Projects Bulletin

January 2019

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. Phase 2 is now being considered and will aim to deliver significant restoration and improvement works to the Royal Pavilion and Garden.

Key Facts

Current stage: Phase 1 (Corn Exchange & Studio Theatre) started on site February 2017. Delayed completion due to finds on site and significant structural remedial works to Corn Exchange roof trusses.

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?

- Significant remedial works to address structural defects of Corn Exchange wooden frame and roof trusses.
- Reinstalling windows following refurbishment off-site
- Repair and redecoration of external facades
- Building of new boundary wall and installation of roof in Gallery area.
- Lining of Corn Exchange
- First fix mechanical & electrical
- Installation of partition walls in Studio Theatre

What's going to happen in the next period?

- Significant on-going repair to Corn Exchange wooden frame
- Strengthening works to Corn Exchange roof
- Internal walls, ceilings and floors of new Gallery building and basement and first fix mechanical & electrical.
- Preparation for resubmitting Phase 2 Round 1 HLF

Target Milestones

- Phase 1 works complete Spring/Summer 2019
- Phase 2 works (Garden) SoS Autumn 2020
- Phase 2 works (Royal Pavilion) SoS Autumn 2020
- Project complete Autumn 2022

Brighton Waterfront



The Brighton Centre and Churchill Square Black Rock

Background

The main principles of the legal agreement to release funds from Aberdeen Standard Investments to deliver the Waterfront project have now been agreed. Officers are negotiating the final remaining points of detail and it is currently anticipated these will be concluded in Autumn 2018. Once agreed the full legal proposal will be brought to a meeting of the Policy Resources and Growth Committee.

Key Facts

Current stage:

Closure of legal and commercial negotiations

Partners:

Brighton & Hove City Council and Aberdeen Standard Investments

Architects:

ACME Space, David Leonard Associates (central site)

Estimated project value: c£540M

Outputs:

- 2,000 jobs
- New venue & conference centre
- New regional retail and leisure destination at Central site
- Improved public realm and urban design
- Housing and office space
- Improved seafront connectivity

What happened in the last period?

- On December 6th BHCC Policy Resources and Growth Committee agreed to sign up to the Conditional Land Agreement. This formalised a timescale for the project which takes the start on site to an estimated 2024-2026. A funding agreement has already been signed with the Coast to Capital LEP, unlocking the £12.1m of LGF funding to enable the project to proceed.

What's going to happen in the next period?

- Embarking on Condition One of the project, including visioning and appointing a Project Director.

Target Milestones

- Conditional Land Agreement end Jan 2019

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. A 'Competitive Dialogue' procurement process in 2015, resulted in appointment of the Preferred Developer in January 2016.

Key Facts

Current stage:

Crest Nicholson in partnership with the Starr Trust, a local charity, are the preferred developer team. The partners continue to progress the legal, financial, and contractual arrangements, which it is hoped will enable the parties to enter into the Development Agreement by end of January 2019.

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£250M

Outputs:

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

What happened in the last period?

- Housing Infrastructure Fund (HIF) grant funding offer, conditions and timetable confirmed.
- Reassessment of scheme financial viability and progression of legal and commercial discussions.
- Report on proposed way forward presented to the Council's Policy Resources & Growth Committee on 6th December.

What's going to happen in the next period?

- HIF Grant Determination Agreement to be issued by Homes England and agreed between the parties
- Finalise Development Agreement and report to Policy, Resources & Growth Committee meeting on 24th January.

Target Milestones

- Development Agreement signed: February 2019
- Crest commences detailed design process and initial public consultation: Spring 2019
- Planning application: late 2019/early 2020
- Start on Site: late 2020
- Project complete: 2025-26

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 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: 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 Studios (The Dance Space)
- University Facilities

What happened in the last period?

- Construction progressing on all buildings including The Dance Space and Office Block

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 to be completed March 2020

Target Milestones

- Student accommodation complete July 2019
- The Dance Space construction works complete August 2019
- Project complete March 2020

Preston Barracks & University of Brighton



The proposed scheme

Background

Having secured planning consent in late 2017, redevelopment of the former barracks site and adjacent University of Brighton land achieved another major milestone in February 2018, when the Development Agreement went unconditional. As a result, a long lease was granted to the developer, with freehold disposal of the barracks site to the University of Brighton. The £150 million Preston Barracks element is part of a comprehensive mixed use regeneration scheme aimed at transforming this part of Brighton.

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 in the form of the 'Central Research Laboratory'.

Key Facts

Current stage: In construction

Partners: University of Brighton, U+I Plc (the developers) and Coast to Capital LEP

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?

- Piling for Central Research Laboratory (CRL) building completed
- CRL ground floor slab completed and reinforced concrete frame under construction

What's going to happen in the next period?

- Construction of student residential blocks
- University commences construction of new multi-storey car park

Target Milestones

- Student blocks underway: end 2018
- Residential blocks commence construction: mid 2019
- University Academic building commences: mid 2019
- Central Research Laboratory building completed: end 2019
- Project complete: 2022-23

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 over 100 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 funding will assist the development of New England House into an improved and expanded facility for nurturing small creative. Digital and IT 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: Land deal agreed (subject to planning) with adjacent leaseholder and I developer (L&G) 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?

- Financial testing of design and refurbishment options for New England House improvements.
- L&G planning application for Longley Industrial Estate under consideration by Local Planning Authority. Planning Committee decision anticipated in first half of 2019

What's going to happen in the next period?

- Further reviews of refurbishment and extension options for New England House and testing of business case

Target Milestones

- Determination of L&G's planning application – Early 2019

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 (LLP) 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: £118M

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?

- Public consultations for Whitehawk, Portslade and Coldean sites
- Planning applications submitted for Coldean and Whitehawk

What's going to happen in the next period?

- Review public feedback, technical and viability issues on Whitehawk site
- Continue work to identify next set of sites

Target Milestones

- First planning permissions – Spring 2019
- First start on site – Autumn 2019
- All homes complete 2022

Securing Madeira Terrace for the Future



Background

The overall scheme involves the restoration and creative reuse of Brighton's iconic Madeira Terrace, raised walkway and associated buildings. Phase One will see the restoration and conversion of 68 of the 151 Victorian arches (including the first 'crowdfunded' 3 arches) and will act as a catalyst for the remaining Terrace.

Key Facts

Current stage: A second Round One Bid to Heritage Lottery Fund for a reduced "ask" of £3.2M was made in August 2018.

Partners: Brighton & Hove City Council

Architects: A design team will be procured once funding is secured.

Estimated total project value: £24m* (excluding public realm).

Outputs:

- Rejuvenated eastern seafront with a variety of new independent businesses, including leisure, creative industries and food & beverage.
- Improved connectivity from Kemptown and A259 to Madeira Drive and beach.
- Conservation of the Grade II listed structure.
- Conservation of Green Wall with its diversity of plants and habitats

What happened in the last period?

- Informal consultation with Historic England regarding restoration approach
- Workshop with planners held re: master planning and defining restoration approach.
- HLF Round 1 bid unsuccessful

What's going to happen in the next period?

- Procurement process will begin for expert team to work on the restoration.
- A site office will be in place from 4th January for use by the community and the project.

Target Milestones

- Round 1 decision: December 2018
- Round 2 submission: April 2020 (estimated)
- Start on Site for Lockwood Project: anticipated for 2021, but dependent upon the success of achieving funding for Phase Crowdfunded arches completion target 2019.

* Capital cost estimate based upon Mott McDonald 2016 assessment using specialist restoration and modular construction advice, and reviewed in 2018 by cost consultant GVA in preparation for the Heritage Lottery Fund bid in March 2018. As designs are progressed final firmed up costs will be produced and reported to relevant council committee prior to any start on site.

